



Making a difference...together

SALT SPRING ISLAND TRANSPORTATION COMMISSION

Notice of Meeting on **Tuesday, May 20, 2014 at 4:00 PM**

145 Vesuvius Bay Road, Salt Spring Island, BC

Donald McLennan
Ross Simpson
Wayne McIntyre

Andrew Haigh
Nigel Denyer

Robin Williams
Sheryl Taylor-Munro

Dennis Fortin
Kevin Bell

AGENDA

- 1. Approval of Agenda**
- 2. Adoption of Minutes** of April 15, 2014
- 3. Presentations/Delegations**
 - 3.1** Robert Lapham, Myrna Moore, Kevin Lorrett Re: BC Transit Annual Operating Agreement
- 4. Reports-Chair and Director**
- 5. Outstanding Business**
 - 5.1** North Ganges Transportation Plan
 - 5.1.1** Working Group Deliberations
 - 5.1.2** Motion from School District 64
 - 5.1.3** Strategic Approach to Ministry of Transportation
 - 5.2** Bus Shelter Update
 - 5.3** Partners Creating Pathways 2014 Project Update
 - 5.3.1** Active Transportation Innovative Infrastructure Grant Approval an innovative design element
 - 5.4** CRD wayfinding signage initiative-Technical Advisory Committee recommendations
- 6. New Business**
 - 6.1** Transit Revenue and Ridership Memo-May 1, 2014
 - 6.2** Reimbursement for Commissioner McLennan Expenses
 - 6.3** Logo for Salt Spring Island Transportation Commission
 - 6.4** Parking Authority Feasibility

To ensure quorum, advise Tracey Shaver 250 537 4448 if you cannot attend.

**6.5 Islands Trust Referral SS-RZ-2103.5 Rezoning and OCP Amendment at Bullock Lake
315 Robinson Road**

That the Salt Spring Island Transportation Commission recommends to the Island's Trust that the owner/applicant for the rezoning and OCP amendment of Bullock Lake Cottages (315 Robinson Road) construct a multi-use pathway along the entire frontage of the property along Robinson Road at their cost; and that the multi-use pathway be built to the Capital Regional District's (CRD) specification; and any areas of the pathway along this same frontage that are contained within private property that a statutory right of way be registered in favour of the CRD and in a form acceptable to the CRD; and further, the CRD will assume the maintenance and liability upon acceptance of the completed works.

**6.6 Islands Trust Referral SS-RZ-2013.9 Rezoning for Multi-Family Affordable Housing
Complex at 161 Drake Road**

That the Salt Spring Island Transportation Commission (SSITC) recommends to the Island's Trust that the applicant for the rezoning of 161 Drake Road construct a multi-use pathway along the entire frontage of the property along Drake Road as the Island's Trust Official Community Plan identifies Drake Road as a main or secondary bicycle route on Map 4; and further the SSITC supports the concept of a pilot project that may include electric vehicle charging stations, and/or a car share program.

**6.7 Islands Trust Referral SS-RZ-2013.3 Rezoning and OCP Amendment- 119-150
Ashya Road**

That the Salt Spring Island Transportation Commission advise Island's Trust that their interests are unaffected by the application to amend the Official Community Plan and Land Use Bylaw for 119 – 150 Ashya Road.

- 7. Motion to Close Meeting in accordance with the Community Charter Part 4, Division 3, Section 90 (1) (k)** negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

- 8. Next meeting June 17, 2014**

- 9. Adjournment**

Communications and Information only items-see appendix A, B



Making a difference...together

**Minutes of the Regular Meeting of the Salt Spring Island Transportation Commission
Held April 15, 2014 in the Portlock Park Meeting Room, Salt Spring Island, BC**

DRAFT

PRESENT: **Director:** Wayne McIntyre
Commission Members: Robin Williams (Chair); Andrew Haigh (left at 5:05pm); Sheryl Taylor-Munro; Ross Simpson, Dennis Fortin, Nigel Denyer
Staff: Karla Campbell, Senior Manager; Keith Wahlstrom, Contract Engineer, CRD; Michele Akerman, Recording Secretary
Absent: Donald McLennan; Kevin Bell

Chair called meeting to order at 4:00pm

1. Approval of Agenda

MOVED by Commissioner Denyer, **SECONDED** by Director McIntyre,
That the agenda be approved with the following amendments:

- Addition of item 5.1, (a) Negotiations with Windsor Plywood; and (b) JE Anderson,
- Addition 5.5, Island's Trust Bylaw Referral – SS-RZ-2013.6 - 2850 Fulford-Ganges Road
- Addition 6.5, Parking on McPhillips.

CARRIED

2. Adoption of Minutes

MOVED by Commissioner Fortin, **SECONDED** by Director McIntyre,
That the minutes of March 18, 2014 meeting be adopted with the following amendments:

- Amend 5.1, first point, Reduce the width of the pathway to 1.8 metres from the indoor pool to the entrance to the buss pullout adjacent to the high school; and reduce the pathway to 2.5 metres from the high school bus pullout to Lower Ganges Road.
- Amend 4.4, The Commission requested transit revenues to correlate with ridership.
- Amend 6.1, Gary Holman, MLA.
- Amend 5.1, General Discussion on design and implementation of Rainbow Road project.

CARRIED

3. Presentations/Delegations

3.1 John Wakefield - Wayfinding Signage

Presentation made by John Wakefield on Wayfinding on the Salt Spring. CRD has funding in place to put towards implementation. This would include:

- Upgrade of safety conditions in Fulford Village and the ferry terminal approach
- Completion of Phases 2-5 of the North Ganges Transportation Plan
- Upgrade of safety conditions on Ganges Hill
- Traffic calming of Ganges Village
- Wayfinding signage which links the PIC bikeway to local routes and major destinations.

3.2 Bylaw Referral-Islands Trust – SS-RZ-2013.5 - 315 Robinson Road

Cameron Chalmers, Platform Properties

The proposed development includes 50 existing strata titled cottages, and are requesting a zoning and OCP amendment to reinstate unoccupied cottages for their intended purposes. They can be purchased individually, but owners would not be able to use as primary residence. The remaining lots 2-5 are not proposed for zoning and OCP amendments, but the development is offering an amenity proposal for possible public use.

4. Reports – Chair and Director

Chair Report

- Thanks for attendance at Transit event.
- Saturday Market Review, there will a meeting set up with Li Read and Janet Clauston with the Chamber of Commerce, the Market Advisory Group, Market vendors, Salt Spring Island Economic Development Commission and the Salt Spring Island Transportation Commission to present the results.
- Governance Orientation Session with the Capital Regional District Senior Management Team and all the Commission members May 6th.

CRD Director's Report

- Thanks to Robin for all his hard work.
- Invited Naomi Yamamoto, Minister of Small Business and Tourism, on the April 5th transit event over to Salt Spring in June.
- Done a lot of work on Ferry Alliance. Attended the Association of Vancouver Island and Coastal Communities AGM and Conference with George Gram and talking about the fact that SSI is not part of the Rural Community.
- Part of the review of the first stage of the economic study that is being done, looking at the impact of ferry policies on our Coastal Communities.

5. Outstanding Business

5.1 NGTP Rainbow Road Phase – Rainbow Road Drainage Study

MOVED by Commissioner Simpson, **SECONDED** by Commissioner Taylor-Munro, That the Salt Spring Island Transportation Commission recommends that a drainage study be carried out for Rainbow Road between the Recreation Centre entrance and Lower Ganges Road and in preparation for any project.

The study should include the Swanson and Ganges Creeks catchment areas, which include Kanaka Avenue (west) and the High School properties.

The study should also consider the adequacy of the existing and proposed drainage utilities within the Rainbow Road Project corridor, and in particular, consider the level of risk and consequences of flooding of:

- a. The Windsor Plywood, Murakami Gardens and SD 64 Maintenance Buildings and other properties along Rainbow Road.
- b. The areas around Kanaka Road (East) / Jackson Road / Rainbow Road intersections (vicinity of the Co-op Gas station)

CARRIED

(a) **Negotiations with Windsor Plywood**

Negotiations are now in the hands of the CRD and not the Commission.

(b) **JE Anderson**

General discussion of when would be appropriate to bring JE Anderson back.

5.2 NGTP Phase 1 – Lower Ganges Road Final Costs

\$87,550 surplus, soft costs were 6% rather than 15%.

5.3 Bus Shelter Update

Need additional quotes for the steel fabrication.

5.4 PCP 2014 Project Update

- The Commission endorses Commissioner Denyer as the official liaison for Partners Creating Pathways.
- PCP has accepted the invite to be on this project with SSITC.
- PCP is moving ahead with Upper Ganges Road from Churchill Road to Long Harbour Road this year.
- Discussion regarding PCP using the \$50,000 asphalt credit for the pathways. Commission to ask PCP to do up a proposal regarding the asphalt.

5.5 Island's Trust Bylaw Referral – SS-RZ-2013.6 - 2850 Fulford Ganges Road

MOVED by Commissioner Simpson, **SECONDED** by Commissioner Denyer

That the Salt Spring Island Transportation Commission supports the Island's Trust application by Dave McKerrel for Island Marine Construction Services [SS-RZ-2013.6] to amend the land use bylaw to shoreline 2 (S2) support the Island's Trust Official Community Plan objective [B.5.3.2.16] by constructing a multi-use path along the Fulford Ganges road to service adjacent residential and commercial properties and a more extensive networks of pathways including a link to Drummond Park; and further that the Transportation Commission request that the applicant work with the Capital Regional District on the pathway specifications, subject to coordinating with the proposed Fulford ferry terminal expansion.

CARRIED

6. New Business

6.1 Stakeholder Event – May 1, 2014

Information only.

6.2 Active Transportation Wayfinding Initiative

Generally agreed to request an extension to May 21, 2014 and review what the Commission can support.

6.3 Bylaw Referral – Islands Trust – SS-RZ 2013.5 – 315 Robinson Road

Generally agreed to request an extension from Island's Trust and request the developer provide for a site visit.

6.4 Proposed Subdivision for 114 Swanson

It was generally agreed that the Commission advise the Ministry of Transportation and Infrastructure that the Commission is not interested in pursuing a pathway as it is identified as a minor rural road.

6.5 McPhillips parking at the Shell Gas Station

A concern was brought forward with there being no room for pedestrians to walk along the fence and parked cars. Staff to ask Ministry of Transportation and Infrastructure if they could add some no post barriers for safe pedestrian passage.

7. Motion to Close Meeting

MOVED by Director McIntyre, **SECONDED** by Commissioner Taylor-Munro, Meeting in accordance with the Community Charter Part 4, Division 3, Section 90 (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; (c) Labour relations or other employee relations.

CARRIED

8. Rise and Report

Transportation Requisition Referendum

MOVED by Commissioner Taylor-Munro, **SECONDED** by Commissioner Simpson, That the Salt Spring Island Transportation Commission resolves increasing the maximum requisition to \$396,250 in 2015.

CARRIED

9. Adjournment

That the meeting be adjourned at 5:34pm

CARRIED

CHAIR

SENIOR MANAGER

SALT SPRING ISLAND

**ANNUAL OPERATING AGREEMENT
(PARATRANSIT)**

Among

THE CAPITAL REGIONAL DISTRICT

BRITISH COLUMBIA TRANSIT

And

**GANGES FAERIE MINISHUTTLE
(as agreed to in the MOA)**

April 1, 2014 to March 31, 2015

**INFORMATION CONTAINED IN SCHEDULE "C" – BUDGET AND SCHEDULE "D" – PAYMENT
SCHEDULE IS SUBJECT TO FREEDOM OF INFORMATION & PROTECTION OF PRIVACY ACT.**

**CONSULT WITH BC TRANSIT PRIOR TO RELEASING INFORMATION IN THESE SCHEDULES TO
INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.**

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ANNUAL OPERATING AGREEMENT

BETWEEN: THE CAPITAL REGIONAL DISTRICT
(the "Municipality")

AND: BRITISH COLUMBIA TRANSIT
(the "Authority")

AND: GANGES FAERIE MINISHUTTLE
(the "Operating Company")

WHEREAS the Municipality and the Authority are authorized to contract for the provision of a Public Passenger Transportation System and share in the costs of providing same pursuant to the British Columbia Transit Act.

WHEREAS the Operating Company is authorized to operate, manage and maintain a Public Passenger Transportation System within the Salt Spring Island Transit Service Area

WHEREAS the parties hereto have entered into a Master Operating Agreement effective which sets out the general rights and responsibilities of the parties hereto.

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Master Agreement, the specific terms and conditions for the operation of the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants herein contained, the parties covenant and agree with each other as follows:

SECTION 1 – DEFINITION OF TERMS

- 1.1 Definitions: Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Master Agreement shall apply to this Annual Operating Agreement including:
- (a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendment negotiated and entered into by the parties subsequent hereto;
 - (b) "Master Agreement" shall mean the Master Operating Agreement, including any amendments made thereto;

SECTION 2 – INCORPORATION OF MASTER AGREEMENT

- 2.1 Incorporation of Master Agreement into Annual Operating Agreement: Upon execution, this Annual Operating Agreement shall be deemed integrated into the Master Agreement and thereafter the Master Agreement and the current Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the British Columbia Transit Act, as amended from time to time.
- 2.2 Amendments to Master Agreement: The parties agree to amend the Master Agreement as follows:
- (a) To remove Section 13 in its entirety and replace it with the following:

"SECTION 13 - INSURANCE

- 13.1 Insurance: The Operating Company and the Authority shall purchase and maintain in force throughout the term of this Master Agreement, insurance policies covering the perils specified herein as set out below. As evidence of insurance coverage, the Operating Company shall deposit with the Authority, copies of the insurance policies

the Operating Company is required to purchase in accordance with this Master Agreement and the Annual Operating Agreement.

13.2 Minimum Insurance Coverage Requirements: The following insurance coverage shall be purchased and maintained throughout the term of this Master Agreement and the Annual Operating Agreement:

1. Vehicle Insurance:

a) The Operating Company shall purchase and maintain insurance on all vehicles used by the Operating Company in the operation of the Public Passenger Transportation System under this Master Agreement as follows:

i) Third party liability insurance of Five Million Dollars (\$5,000,000.00) per occurrence purchased from the Insurance Corporation of British Columbia.

b) The Authority shall purchase and maintain insurance on all revenue vehicles used by the Operating Company in the operation of the Public Passenger Transportation System under this Master Agreement as follows:

i) Third Party Liability insurance in excess of Five Million Dollars (\$5,000,000.00) to a minimum limit of Twenty-Five Million Dollars (\$25,000,000.00).

ii) Collision or upset insurance \$5,000.00 deductible.

iii) Comprehensive insurance covering hazards such as fire, theft, vandalism, glass breakage, falling trees, wind-storms, etc. \$500.00 deductible.

2. Physical Assets Leased from the Authority :(where applicable)

a) The Authority shall purchase and maintain insurance on all Physical Assets leased from the Authority, pursuant to the terms of the individual lease agreements with the Operating Company and respecting said Physical Assets.

b) Without limiting the generality of the foregoing, such insurance shall be in the name of the Authority and shall include a waiver of subrogation against the Operating Company. The insurance shall be in accordance with the laws in force and in effect in the Province of British Columbia and Canada.

c) The amount of such insurance for the respective categories of Physical Assets shall be not less than as follows:

i) Buildings and Structures Including Leasehold Improvements. The Authority shall purchase and maintain insurance on all buildings and structures on a standard all risk form including boiler explosion, flood and earthquake where applicable, in an amount not less than the full replacement value thereof as determined by the Authority.

ii) Other Chattels and Equipment. The Operating Company shall purchase and maintain insurance on all chattels and equipment not otherwise insured under this Schedule against loss or damage from all risks, in an amount not less than the full replacement value thereof.

d) The Authority may, in its sole discretion, self insure part or all of the insurance requirements hereunder.

3. Physical Assets Owned by the Operating Company or Leased from a Party other than the Authority

a) The Operating Company shall purchase and maintain insurance on all Physical Assets owned or leased by them from a party other than the Authority, to the same extent as specified in Section (2), above, except that contrary to Section (2) the Operating Company shall determine the full replacement value thereof.

4. Comprehensive General Liability Insurance:

a) The Authority shall take out and maintain comprehensive general liability insurance (CGL) covering the operation of the Public Passenger Transportation System specified in Schedule "B" of the Annual Operating Agreement on an occurrence basis in an amount not less than Twenty-Five Million Dollars (\$25,000,000.00). Such insurance shall include the Operating Company and the Municipality as an additional insured party and further, the policy shall apply to each insured in the same manner and to the same extent as if a separate policy

has been issued to each of the insured parties.

b) The Authority's CGL does not extend to cover non-transit activities a company may be engaged in. If the Operating Company performs work outside of the terms of this Master Agreement and/or the Annual Operating Agreement, the Operating Company will require separate insurance coverage for that work which provides a waiver of subrogation in favour of BC Transit.

5. Additional Covenants:

a) The Operating Company covenants that it shall not knowingly permit, suffer, allow or connive at the use or operation of any vehicle in respect of this Master Agreement by any person, or in any way, or for any purpose, contrary to the provisions of this Master Agreement or the provisions of the Insurance (Vehicle) Act or any other applicable legislation and related regulations. The Operating Company shall indemnify and save harmless the Authority from any breach of this covenant.

b) It is mutually understood and agreed that the responsibilities to acquire and maintain policies of insurance pursuant to this Master Agreement and/or the Annual Operating Agreement shall be restricted and limited to the provisions of this Section 13."

SECTION 3 – TERM AND RENEWAL

3.1 Term and Renewal: The term of this Agreement shall be from April 1, 2014 to March 31, 2015 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Master Agreement shall likewise be so terminated or not renewed, as the case may be.

Section 4 – Schedules

4.1 Schedules: The schedules attached hereto shall form part of the Annual Operating Agreement and be binding upon the parties hereto as though they were incorporated into the body of this Agreement.

- a) Schedule "A" – Transit Service Area
- b) Schedule "B" - Service Specifications
- c) Schedule "C" - Budget
- d) Schedule "D" – Payment Schedule
- e) Schedule "E" – Tariff-Fares

Section 5 – MISCELLANEOUS PROVISIONS

5.1 Amendment: This Annual Operating Agreement and the Schedules attached hereto may be amended only with the prior written consent of all parties.

5.2 Assignment: This Annual Operating Agreement shall not be assignable without the prior written consent of the other parties.

5.3 Enurement: The Annual Operating Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.

SECTION 6 – NOTICES AND COMMUNICATION

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a responsible officer of the party hereto to whom it is addressed or if mailed by prepaid registered mail, to:

CAPITAL REGIONAL DISTRICT
c/o CAO
625 Fisgard Street
Victoria, BC V8W 1R7

BC Transit
c/o Chief Operating Officer
520 Gorge Road East
Victoria, BC V8W 2P3

and to:

Ganges Faerie Minishuttle
c/o Owner
PO Box 224
Salt Spring Island, BC V8K 2V9

and, if so mailed during regular mail service, shall be deemed to have been received five (5) days following the date of such mailing.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals and where a party is a corporate entity the seal of such party has been affixed hereto in the presence of its duly authorized officer this day of .

THE CORPORATE SEAL OF **THE CAPITAL REGIONAL DISTRICT** has been hereto affixed in the presence of:

AGREEMENT AUTHORIZATION

	Initial	Date
Content		
Legal Form		
Authority		

THE COMMON SEAL OF **BRITISH COLUMBIA TRANSIT** has been hereto affixed in the presence of:

CHIEF OPERATING OFFICER

CHIEF FINANCIAL OFFICER

THE CORPORATE SEAL OF **GANGES FAERIE MINISHUTTLE** has been hereto affixed in the presence of:

SCHEDULE "A" - Transit Service Area Boundaries

The boundaries of the Salt Spring Island Transit Service Area, defined as the Electoral Area 'F' of the Capital Regional District,

SCHEDULE "B" – Service Specifications

Saltspring Island Base Budget Official AOA 2014/2015

Schedule 'B'

Effective Apr 01, 2014

Scheduled Revenue Service

14/15 Apr to May (Apr 01, 2014 to May 03, 2014)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Apr 18, 2014	Apr 21, 2014
WeekDay	18.18	18.18	18.18	18.18	18.00	18.83	13.40	13.40	13.40
Kiosk/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

14/15 May to Jun (May 04, 2014 to Jun 24, 2014)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	May 16, 2014
WeekDay	19.46	19.70	19.46	19.46	19.20	19.80	14.10	14.10
Kiosk/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

14/15 Jun to Sep (Jun 25, 2014 to Sep 01, 2014)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Jul 01, 2014	Aug 04, 2014	Sep 01, 2014
WeekDay	20.11	19.70	19.70	20.11	19.70	20.40	13.20	13.20	13.20	13.20
Kiosk/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

14/15 Sep (Sep 02, 2014 to Sep 27, 2014)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
WeekDay	18.18	18.18	18.18	18.18	18.00	20.97	13.50
Kiosk/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00

14/15 Sep to Mar (Sep 28, 2014 to Mar 31, 2015)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Oct 13, 2014	Nov 11, 2014	Dec 26, 2014	Feb 09, 2015
WeekDay	18.18	18.18	18.18	18.18	18.00	16.83	13.40	13.40	13.40	13.40	13.40
Kiosk/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Extra Revenue Service

	Apr. 2014	May 2014	Jun 2014	Jul 2014	Aug 2014	Sep 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015
Extra Overhead Hours	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00

Adjusted Revenue Service

	Apr. 2014	May 2014	Jun 2014	Jul 2014	Aug 2014	Sep 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	Mar 2015

2014/2015 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2014 to Apr 30, 2014	5	5	5	4	3	4	4	0	30	Apr 16, 2014 Good Friday 2014 (Fri)
May 01, 2014 to May 31, 2014	0	0	0	1	1	1	0	0	3	Apr 21, 2014 Easter Monday 2014 (Mon)
May 04, 2014 to May 31, 2014	3	4	4	4	4	4	4	1	26	May 19, 2014 Victoria Day 2014 (Mon)
Jun 01, 2014 to Jun 30, 2014	4	4	3	3	3	3	4	0	26	Jun 01, 2014 Canada Day 2014 (Tue)
Jun 25, 2014 to Jun 30, 2014	1	0	1	1	1	1	1	0	6	Aug 04, 2014 BC Day 2014 (Mon)
Jul 01, 2014 to Jul 31, 2014	4	4	4	4	4	4	4	0	31	Sep 01, 2014 Labour Day 2014 (Mon)
Aug 01, 2014 to Aug 31, 2014	3	4	4	4	4	5	5	0	31	Oct 13, 2014 Thanksgiving Day 2014 (Mon)
Sep 01, 2014 to Sep 30, 2014	3	0	2	0	0	0	0	1	1	Nov 11, 2014 Remembrance Day 2014 (Tue)
Sep 02, 2014 to Sep 27, 2014	3	4	4	4	4	4	4	0	26	Dec 25, 2014 Christmas Day 2014 (Thu)
Sep 28, 2014 to Sep 30, 2014	1	1	1	0	0	0	1	0	3	Dec 26, 2014 Boxing Day 2014 (Fri)
Oct 01, 2014 to Oct 31, 2014	3	4	5	5	5	4	4	1	31	Jan 01, 2015 New Year's Day 2015 (Thu)
Nov 01, 2014 to Nov 30, 2014	4	1	4	4	4	5	5	1	30	Feb 09, 2015 Family Day 2015 (Mon)
Dec 01, 2014 to Dec 31, 2014	5	0	5	3	3	4	4	0	31	
Jan 01, 2015 to Jan 31, 2015	4	4	4	4	5	5	4	1	31	
Feb 01, 2015 to Feb 28, 2015	3	4	4	4	4	4	4	1	28	
Mar 01, 2015 to Mar 31, 2015	5	5	4	4	4	4	5	0	31	
Total	66	51	52	50	50	52	53	12	305	12 Exceptions

Monthly Summary

Month	Revenue Hours				Revenue Kiosks			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April 2014	510.94	10.00		520.94	0.00			0.00
May 2014	571.67	10.00		581.67	0.00			0.00
June 2014	560.24	10.00		569.24	0.00			0.00
July 2014	584.89	10.00		594.89	0.00			0.00
August 2014	578.07	10.00		588.07	0.00			0.00
September 2014	592.12	10.00		592.12	0.00			0.00
October 2014	593.48	10.00		593.48	0.00			0.00
November 2014	508.33	10.00		518.33	0.00			0.00
December 2014	515.62	10.00		525.62	0.00			0.00
January 2015	518.73	10.00		528.73	0.00			0.00
February 2015	470.16	10.00		480.16	0.00			0.00
March 2015	532.64	10.00		542.64	0.00			0.00
Total	6,426.23	120.00	0.00	6,546.23	0.00	0.00	0.00	0.00

Schedule C

Saltspring Island Paratransit

Official AOA 2014/2015

TRANSIT REVENUE	
Farebox Cash	\$134,454
Tickets & Passes	\$41,321
BC Bus Pass	\$18,600
TOTAL REVENUE	\$194,375
EXPENDITURES	
Fixed Costs	\$116,856
Variable Hourly Costs - Scheduled Service	\$157,989
Variable Hourly Costs - Extra Service	\$2,950
Variable Fuel Costs - Scheduled Service	\$63,033
Variable Tire Costs - Scheduled Service	\$9,451
Fleet Maintenance	\$42,552
Major Repairs Contingency	\$7,500
Accident Repairs	\$2,500
ICBC Insurance	\$5,748
Fleet Insurance	\$1,012
Information Systems	\$729
P.S.T.	\$2,106
TOTAL DIRECT OPERATING COSTS	\$412,425
Training (Education & Seminars)	\$869
Marketing	\$9,920
Municipal Administration	\$5,071
BCT Management Services	\$18,414
TOTAL OPERATING COSTS	\$446,699
Lease Fees - Vehicles (Local Share)	\$82,530
Lease Fees - Equipment (Local Share)	\$1,230
Lease Fees - PTIP (Local Share)	-\$16,731
TOTAL LEASE FEES - LOCAL SHARE	\$67,029
TOTAL COSTS	\$513,728
COST SHARING	
Municipal Share of Costs	\$278,363
Less: Total Revenue	\$194,375
Less: Municipal Administration	\$5,071
Net Municipal Share of Costs	\$78,916
Authority Share of Costs*	\$235,366
STATISTICS	
Scheduled Revenue Hours	6,426.53
Extra Revenue Hours	120.00
Total Passengers	103,566
Conventional Passengers	103,566

*Does not include Authority share of Lease Fees

Schedule "D" - Payment Schedule

Saltspring Island Paratransit 2014/2015 AOA BUDGET

1) Payment Schedule

The Authority agrees to pay the Operating Company a monthly payment on the following basis:

a) for Specified Service in Schedule "B" :

- i) \$9,738.02 for Fixed Monthly Payment; plus
- ii) \$24.58 per Revenue Hour; plus
- iii) Variable distance costs for fuel and tires as billed, with satisfactory supporting documentation.

b) for Deleted Fixed Costs as outlined in Section 6 (2), an amount equal to 1/365 of the Fixed Costs amount contained in Schedule "C" shall be deducted for each day or part day.

c) for Added Service or Deleted Service within the regular hours of system operation specified in Schedule "B":

- i) \$24.58 per Revenue Hour; plus
with allowance for wage premium payments (up to 1.5 times the regular Revenue Hour payment), if applicable, when service is added beyond the regular hours of operation.

d) for Maintenance:

- i) \$87.58 per hour for labour by a licensed mechanic for the maintenance of transit vehicles.

e) Prior to conducting a Special Group Trip, the Operating Company must apply for and receive from BC Transit, a pre-approval to conduct the trip, the cost recovery rates to be charged and the method of payment.

Information contained in Schedule "C" - Budget and Schedule "D" - Payment Schedule is subject to the Freedom of Information and Protection of Privacy Act.

Consult with BC Transit prior to releasing information in these Schedules to individuals or companies other than those who are party to the Agreement.

Effective as of July 1, 2012

a) All passengers	\$2.25
Child, 4 or under	Free

b) All passengers	\$20.25
Child, 4 or under	Free

c) Adult	\$50.00
d) Senior*/Student**	\$40.00
Child, 4 or under	Free

Adult/Senior/Student

- Page 11

Karla Campbell

From: Dawne Fennell <dfennell@sd64.bc.ca>
Sent: Wednesday, May 07, 2014 4:14 PM
To: Karla Campbell
Cc: Rod Scotvold
Subject: Board Motion
Attachments: PastedGraphic-2.pdf

Dear Ms. Campbell,

For your information, at a Special Meeting held by the Board of Education on April 23, 2014, the Board passed the following motion:

It was moved and seconded that the Board of Education approves, in principle, the North Ganges Transportation Plan for the Rainbow Road Pathway Project, subject to the school district's approval of final design drawings for the pathway project and subject to the school district reaching a satisfactory land use agreement for the pathway with the Capital Regional District (CRD).

Kind regards,

Dawne Fennell

Executive Assistant
to Senior Administration and the
Board of Education

School District #64 (Gulf Islands)
112 Rainbow Road
Salt Spring Island, BC V8K 2K3
tel: 250 537-5548, ext. 202
fax: 250 537-4200

Karla Campbell

From: Jennifer Black
Sent: Wednesday, May 07, 2014 11:11 AM
To: Karla Campbell
Cc: Richard Shead; Donald McLennan; Jean Gelwicks
Subject: RE: CRD Active Transportation Innovative Infrastructure grant program
Attachments: InnovativeInfrastructure-2014-01-30-Terms-Conditions.pdf

Dear Karla,

Thank you for revising your proposal for the Innovative Infrastructure fund. The Adjudication Working Group has reviewed your proposal and accepted it for a \$75,000 grant. Congratulations!

As far as next steps, please review the payment terms on the application form and review and submit the attached contribution agreement.

Please note that successful recipients are expected to pay for all costs of the approved project up-front and will be reimbursed by the Capital Regional District. Payments for reimbursement will only be provided when submitted with original invoices and receipts. Recipients will be required to submit a summary report within 60 days of the end of the project.

Thanks again for your application and for continuing to improve active transportation options in your community. We look forward to seeing your project move forward.

Warmest regards,

Jenn

Jennifer Black
Active Transportation Program Manager
Regional and Strategic Planning
Capital Regional District | 625 Fisgard Street, Victoria, BC V8W 2S6
T: 250.380.3123 | jblack@crd.bc.ca | www.crd.bc.ca





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Active Transportation Innovative Infrastructure Funding

CONTRIBUTION AGREEMENT

Terms and Conditions

The Purpose of these Terms and Condition is to provide basic information on the administration of the Active Transportation Innovative Infrastructure Funding under the CRD-UBCM Pedestrian and Cycling Master Plan Implementation Pilot Project under the Federal Gas Tax Agreement.

APPROVED APPLICANT NAME: Salt Spring Island Electoral Area, CRD

APPROVED PROJECT NAME: Ganges Village Pathway Network

APPROVED FUNDING DATE: May 7, 2014

APPROVED FUNDING AMOUNT: \$75,000

Definitions:

- **Approved Applicant:** The approved applicant is a municipality or electoral area in the Capital Region that has been approved by the CRD for purposes of the Active Transportation Innovative Infrastructure Funding Program.
- **Approved Project:** Is the activity described in the application and approved by the CRD.
- **Approved Partner(s):** Are organizations that directly contribute in-kind or cash contributions towards the successful completion of the project and which are identified in the application.
- **Cash Expenditures:** Are direct costs properly and reasonably incurred and paid for with money by the approved applicant for the development or implementation of the approved project.
- **In Kind Expenditures:** Are the use of resources of the approved applicant or approved partner for the development or implementation of the approved project.

Overall Terms:

1) The funding is to be used solely by the above named approved applicant for the purpose of the above named approved project towards expenses itemized in the budget that was approved as part of the funding application. The CRD reserves the right to demand, at any time, the return of any monies if approved applicant uses the money in a manner that, in the opinion of the CRD, is inconsistent with the objectives of the funding program or with the description of the intended use of the funds as set out in this applications or should it be discovered that the undersigned made a material misrepresentation in the application

Innovative Infrastructure Funding Contribution Agreement

- 2) All activities under this program must be completed by March 31, 2015.
- 3) A Final Report, including outcomes, indicators, and budget expenditures, is required to be submitted to the Capital Regional District within 60 days of project end date.
- 4) The Recipient will indemnify and save harmless Canada, the UBCM, and the CRD, their officers, servants, employees or agents from and against all claims and demands, losses, costs, damages, actions, suits or other proceedings by whomsoever brought or prosecuted in any manner based upon, or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:
- (a) A Project funded under these Terms and Conditions;
 - (b) The breach of any of these Terms and Conditions by the Recipient, its officers, employees, and agents, or by a Third Party and any of its officer, employees, servants or agents;
 - (c) The design, construction, operation, or repair of any equipment associated with the Project; and
 - (d) Any omission or other willful or negligent act of the Recipient or Third Party and their respective employees, officers, servants or agents; except to the extent to which such claims and demands, losses, costs, damages, actions, suits or other proceedings relate to an act of negligence of an officer, employee or agent of Canada, UBCM, or CRD in the performance of his or her duties.

Eligible and Ineligible Expenses:

Eligible costs, including cash and in-kind expenditures, are direct costs properly and reasonably incurred by the approved applicant in the development or implementation of the approved project. Funding will not cover the following types of expenses:

- Expenses for activities that have already taken place
- Property Acquisition;
- Equipment purchases
- Administrative costs/overhead costs: No portion of the funding can be allocated towards municipal/electoral area/regional government staff time. Staff time, including but not limited to project management, design work, approvals, product acquisition, financial tracking, and reporting is not an eligible expense, but can be included as an in-kind contribution to the total project budget. The CRD will contribute in-kind time for projects occurring in the three electoral areas;
- Repair and maintenance costs for existing infrastructure;
- Costs of feasibility and planning studies for individual eligible projects;
- Legal fees;
- Facilities that contravene the Motor Vehicle Act; and
- Motor vehicle parking facilities.

All costs must be accurately outlined in the detailed budget submitted by the approved applicant as a part of the application process. Requests to significantly alter or change the budget must be made to the CRD, in writing, by the approved applicant.

Innovative Infrastructure Funding Contribution Agreement

Post-Approval Terms:

Notice of Approval: The CRD will inform approved applicants by letter. Successful recipients are expected to pay for all costs of the approved project up-front and will be reimbursed by the Capital Regional District. Payments for reimbursement will only be provided when submitted with original invoices and receipts upon satisfactory completion of the Final Event Report & Record of Expenditures.

Applicant Responsibilities: Active Transportation Innovative Infrastructure funds are awarded to CRD-approved applicants. When collaborative projects are undertaken, the approved applicant remains the primary organization responsible for this funding. Due to this, the approved applicant is the primary contact for the CRD and is responsible for:

- Ensuring that approved activities are undertaken as outlined in the approved application and within the required timeline;
- Providing proper fiscal management of the funds and approved project; and
- Submitting final report, using CRD forms, as required by the Funding Application.

Accounting Records: Accounting records must be kept for all aspects of the approved project. All records must clearly disclose the nature and amounts of cash and in-kind expenditures as well as actual incomes received during the development or implementation of the approved project. Financial summaries are required to be submitted as a part of the final report and must be signed by an official representative of the approved applicant. Associated copies of receipts, invoices and/or relevant invoices to support claims will be required.

Changes to or Cancellation of Approved Project: Approved applicants need to advise the CRD, in writing, of any significant variation from the approved project as described in the approved application, including any major changes to:

- Project purpose, goals, or outcomes
- Project partners
- Start or end dates
- Cash and in-kind expenses

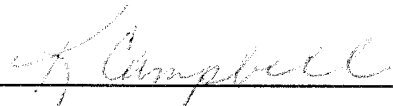
The CRD's approval may be required in advance for such changes.

Reporting Requirements: Approved applicants are required to submit a final report, including summary of outcomes and indicators, as outlined in the Funding Application. The CRD will provide the final report template to approved applicants.

Extensions and Outstanding Reports: In order for an approved project to continue past the approved end date or for a final report to be submitted beyond 60 days after completion, approved applicants must contact the CRD to request an extension. The CRD may grant an extension for reasonable circumstances.

Recognition of Funding: As identified in the Funding Application, all approved applicants must provide recognition to the CRD and/or the Government of Canada. The CRD will work with your organization to ensure appropriate recognition is provided. In the case of funding contributions of more than \$5,000, both parties must be recognized.

Name of Approved Applicant Signing Authority: Karla Campbell

Signed: 

Date: May 8, 2014

Witness Signature: 

Witness Name: Lorraine Brewster



Memo



TO: Salt Spring Island Transportation Commission

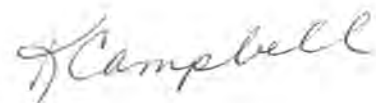
FROM: Karla Campbell
Senior Manager, Salt Spring Island Electoral Area.

DATE: May 1, 2014

SUBJECT: Transit Revenues and Ridership

Attached is the monthly transit revenues as well as the monthly ridership statistics for the past two fiscal years (2012-2013 and 2013-2014). The Transportation Commission requested the transit revenues to be correlated with ridership. The ridership statistics are collected and provided to BC Transit for planning purposes. There are several instances where a transit rider is counted but a corresponding transit fare is not collected. An analysis of revenue correlating with transit ridership statistics is not possible for the following reasons:

- transit drivers issue transfers to customers changing routes/buses. These patrons are counted as riders for all routes travelled;
- customers remaining on board a bus when it has completed a route and is continuing on to a new route do not pay an additional fare but are counted as a rider for all routes travelled;
- passengers under 5 years old ride for free but are still counted for ridership purposes;
- an attendant for a disabled person rides for free but is counted as a rider;
- passengers using a monthly transit pass pay a fixed amount for unlimited travel in a calendar month;
- passengers paying by pre-paid fare ticket receive a 25% discount by purchasing 10 fares for \$20.25; and
- possible risks of loss by theft. To mitigate this risk there are internal controls made to ensure that these controls are adequate and functioning as intended.





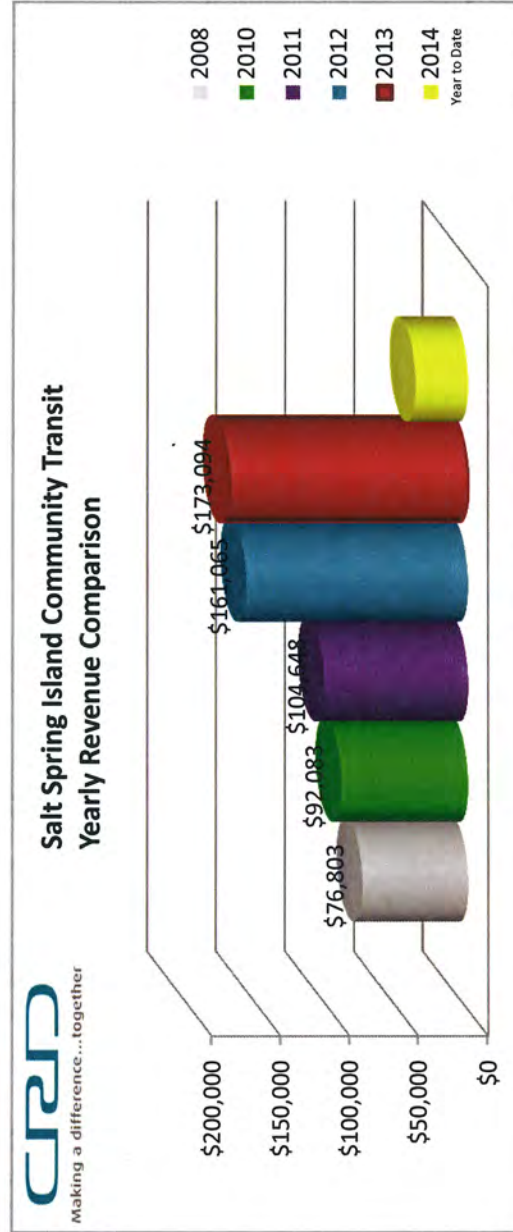
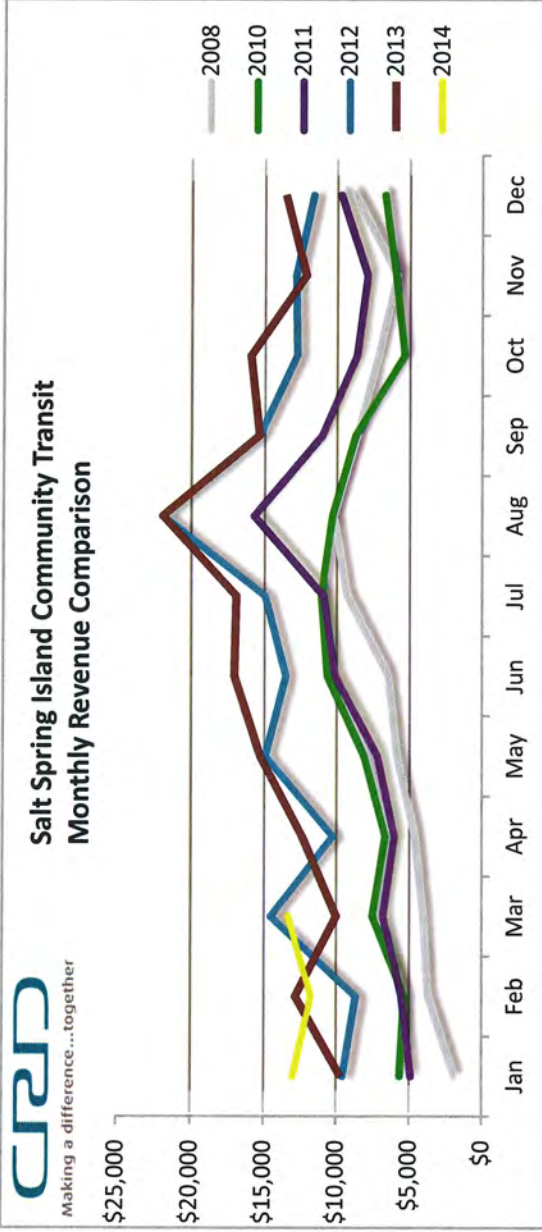
Making a difference...together

Salt Spring Island Community Transit Monthly Revenue Report

	Jan-2014	Feb-2014	Mar-2014	Apr-2014	May-2014	Jun-2014	Jul-2014	Aug-2014	Sep-2014	Oct-2014	Nov-2014	Dec-2014	Total YTD
Total Vendor Sales													
Monthly Passes - Adult	\$ 350	\$ 450	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,150
- Concession	400	320	360	-	-	-	-	-	-	-	-	-	1,080
Day Passes	20	30	35	-	-	-	-	-	-	-	-	-	85
Ticket Sheets *	2,167	1,681	3,382	-	-	-	-	-	-	-	-	-	7,229
Prepaid Fare Tickets													
Collected from fareboxes *	2,462	1,897	2,052	-	-	-	-	-	-	-	-	-	6,410
Farebox Cash Proceeds													
	8,033	7,530	8,531	-	-	-	-	-	-	-	-	-	24,094
BC Bus Pass Program Grant													
	1,731	1,507	2,013	-	-	-	-	-	-	-	-	-	5,251
Monthly Revenue	\$ 12,995	\$ 11,734	\$ 13,341	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 38,070
Cumulative Totals													
YTD Revenue	12,995	24,729	38,070	38,070	38,070	38,070	38,070	38,070	38,070	38,070	38,070	38,070	38,070
Unearned Revenue *	(295)	(511)	819	819	819	819	819	819	819	819	819	819	819
Less 2% Commission	(59)	(108)	(191)	(191)	(191)	(191)	(191)	(191)	(191)	(191)	(191)	(191)	(191)
Other Adjustments	-	20	-	-	-	-	-	-	-	-	-	-	-
Reconciliation to GL	12,642	24,130	38,698	38,698	38,698	38,698	38,698	38,698	38,698	38,698	38,698	38,698	

* Unearned Revenue is the difference between Prepaid Fare Tickets sold and Prepaid Fare Tickets used by riders (collected from fareboxes).

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Revenue Comparisons													
2013 Monthly Revenue	9,687	12,821	10,005	12,384	15,284	17,046	16,926	21,918	15,366	15,962	12,136	13,560	173,094
2012 Monthly Revenue	9,578	8,662	14,540	10,240	14,945	21,766	7,030	21,926	15,374	12,785	12,868	11,650	161,365
2011 Monthly Revenue	4,899	5,540	6,822	6,043	7,221	10,116	10,954	15,731	11,024	8,650	7,912	9,737	104,648
2010 Monthly Revenue	5,640	5,344	7,523	6,646	8,103	10,651	11,070	10,318	8,719	5,387	5,957	6,724	92,083
2009 Monthly Revenue	6,424	5,993	7,480	6,829	7,678	8,246	11,571	10,284	7,781	7,812	5,131	6,939	92,169
2008 Monthly Revenue	1,942	3,734	4,074	4,635	5,871	6,493	9,318	10,228	8,612	7,192	5,895	8,810	76,803



BC TRANSIT CUSTOM / PARATRANSIT MONTHLY STATISTICAL SUMMARY

Transit System Name:

SALTSPRING TRANSIT SYSTEM

Fiscal year:

2013/14

email to: bctranship@bctransit.com
due by: the 15th of next month

Custom Statistics

of registered handyDART users start of fiscal year:

Ambulatory:

Wheelchair:

Trip Pick-up Window:

minutes either side of pick-up time

Prebook Window:

hours or days in advance

Month End:	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	YTD
AMBULATORY RIDES													0
WHEELCHAIR RIDES													0
ATTENDANTS													0
COMPANIONS													0
UNMET TRIPS													0
NO SHOWS													0
LATE CANCELLATION													0
TAXI SUPPLEMENT RIDES													0
TAXI SAVER RIDES													0
NEW REGISTRANTS													0
DELETED/ARCHIVED REGISTRANTS													0
ACTIVE REGISTRANTS													0
# of SUBSCRIPTION TRIPS													0

Customer Comments (applies to both Custom and Paratransit Systems)

Month End:	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	YTD
COMPLAINTS - Driver Related													0
COMPLAINTS - Bus Related													0
COMPLAINTS - Bus late for pick-up													0
COMPLAINTS - Not able to book trip													0
COMPLIMENTS - Driver Related													0
COMPLIMENTS -General													0

Paratransit Statistics

Month End:	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	YTD
PARATRANSIT RIDES													0
ALL HEALTH CONNECTION RIDES													0
Health Connections MEDICAL RIDES													0
CONVENTIONAL RIDES	7303	8379	9049	10079	11172	8954	8228	7747	7931	7346	6775	7897	100,860

BC TRANSIT CUSTOM / PARATRANSIT MONTHLY STATISTICAL SUMMARY

Transit System Name:

Salt Spring Island

Fiscal year:

2012/13

email to: bctranship@bcstransit.com
due by: the 15th of next month

Customer Comments (applies to both Custom and Paratransit Systems)

Month End:	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	YTD
COMPLAINTS - Driver Related													0
COMPLAINTS - Bus Related													0
COMPLAINTS - Bus late for pick-up/not show													0
COMPLAINTS - General													0
COMPLIMENTS - Driver Related													0
COMPLIMENTS - General													0

Paratransit Statistics

Month End:	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	YTD
PARATRANSIT RIDES													0
ALL HEALTH CONNECTION RIDES													0
Health Connections MEDICAL RIDES													0
CONVENTIONAL RIDES	7427	8718	8713	9578	10900	8662	7421	6303	6139	6013	6012	7127	93,013



Being green just
got even better
www.imaginethatgraphics.ca

158 Eagleridge Drive, Salt Spring Island, BC V8K 2K9
250-537-1877 Toll Free 1-877-537-1877
Web: www.imaginethatgraphics.ca
Email: info@imaginethatgraphics.ca

Salt Spring Island Transportation Commission
Agenda May 20 2014
Item 6.2

Salt Spring Island Transportation Commission

Account Number 1499
Invoice Number 14990505
Issue Date 11/04/2014
Due Date 11/05/2014

Date	Project/Item	Time	Rate	Taxes	Total
04/04/2014	Map edits as per customer notes	0.48 Hour	90.00/Hour	GST PST	43.20
2 sets of revisions to Map as per client request. Proof sent.					
Sub-Total:					\$43.20
GST @ 5 % (43.20 Taxable)					2.16
PST @ 7 % (43.20 Taxable)					3.02
Total:					\$48.38
Balance Owing:					\$48.38

Due on receipt. Credit accounts available upon request, with valid credit card.

Memo

Ballock Lake
RE: Rezoning
Salt Spring Island Transportation Commission
Agenda May 20 2014
Item 6.5

CRD

TO: Bob Lapham, Chief Administrative Officer
Larisa Hutcheson, General Manager Parks, Environmental Services
Ted Robbins, General Manager Integrated Water Services
Diana Lokken, General Manager Finance and Technology
Travis Whiting, Acting General Manager of Planning and Protective Services
Maurice Rachwalski, Acting General Manager of Planning and Protective Services

FROM: Jessica Arnet
Property Systems Officer.

DATE: March 12, 2014

FILE: REP2014-00079

SUBJECT: Islands Trust – Referral SS-RZ-2013.5 Rezoning and OCP amendment

Please be advised that the Islands Trust has requested the CRD to comment on the attached referral. Please review the application carefully before providing your response. Also, please see the attached map for the location of the subject property as well as flagged locations of known CRD land interests.

Our response deadline is April 7th, 2014 therefore we please ask that you have your responses back to us by **Tuesday April 1st, 2014**. This will allow for sufficient time for questions and to review and coordinate responses that we will send to the Islands Trust on your behalf. Should you require a time extension to prepare your response, please let me know how long you need and I will make every effort to meet your timeline.

For more information on the referral, please refer to the attached copy of the application. If you have any questions or concerns specific to the application, please contact the writer of this memo at jarnet@crd.bc.ca or ext. 3173. All correspondence and communication with the Islands Trust should go through the Real Estate & Property division.

Best Regards,

Jessica Arnet.

Attachment(s): 2

JA:JA

CC: Treace Alton, Executive Assistant

Memo

The logo for the Congressional Research Service (CRS), featuring the letters "CRS" in a stylized, bold, sans-serif font. The letters are white and set against a dark, textured background that resembles a stylized wave or a series of overlapping shapes.

Cathy Leahy, Senior Administrative Secretary
Margaret Montague, Executive Assistant
Stacey Bligh, Senior Administrative Secretary
Teresa Taylor, Senior Administrative Secretary



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: N/A Date: March 7, 2013

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information, a Public Hearing to consider the Bylaw will be held once the proposal is advanced through the bylaw approval process.

APPLICANTS NAME / ADDRESS:

Cameron Chalmers c/o Platform Properties
315 Robinson Road, Salt Spring Island

PURPOSE OF BYLAW:

Note this is a preliminary referral for input into a rezoning application and OCP amendment prior to bylaw drafting. The applicant proposes to amend the Official Community Plan designation of the subject property from Rural Neighbourhoods to a new designation "Bullock Lake Recreational Cottage" and rezone the property from Rural (R) to a new zone that would permit 50 commercial guest accommodation units and a 557.4 m² (6000 ft²) multi-use "amenity" building.

GENERAL LOCATION:

315 Robinson Road, Salt Spring Island

LEGAL DESCRIPTION:

Strata Lots 1- 51, Section 7 Range 3 East, North Salt Spring Island Cowichan District Strata Plan VIS4458 Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1.

SIZE OF PROPERTY AFFECTED:

6.20 ha (15.32 ac)

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Neighbourhood

OTHER INFORMATION:

This is a preliminary bylaw referral for early consultation. A second referral may be circulated if a bylaw is proposed for this development. Attached is a copy of a staff report received by the Salt Spring Island Local Trust Committee on February 27, 2014.

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this proposal.

(Signature)

Name: _____

Title: _____

This referral has been sent to the following agencies:

Federal Agencies

N/A

Regional Agencies

Capital Regional District
CRD Building Inspection
CRD Engineering Services
CRD Regional Parks
CRD Economic Development Commission
Island Health

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Environment
Ministry of Transportation & Infrastructure

Adjacent Local Trust Committees and Municipalities

N/A

PLEASE TURN OVER →

Non-Agency Referrals

SSI PARC (CRD)

SSI Transportation Commission (CRD)

Cedar Lane Water System (CRD)

First Nations

Chemainus First Nation

Cowichan Tribes

Halalt First Nation

Hul'qumi'num Treaty Group (for information only)

Lake Cowichan First Nation

Lyackson First Nation

Malahat First Nation - Te'Mexw Treaty Association

Pauquachin First Nation

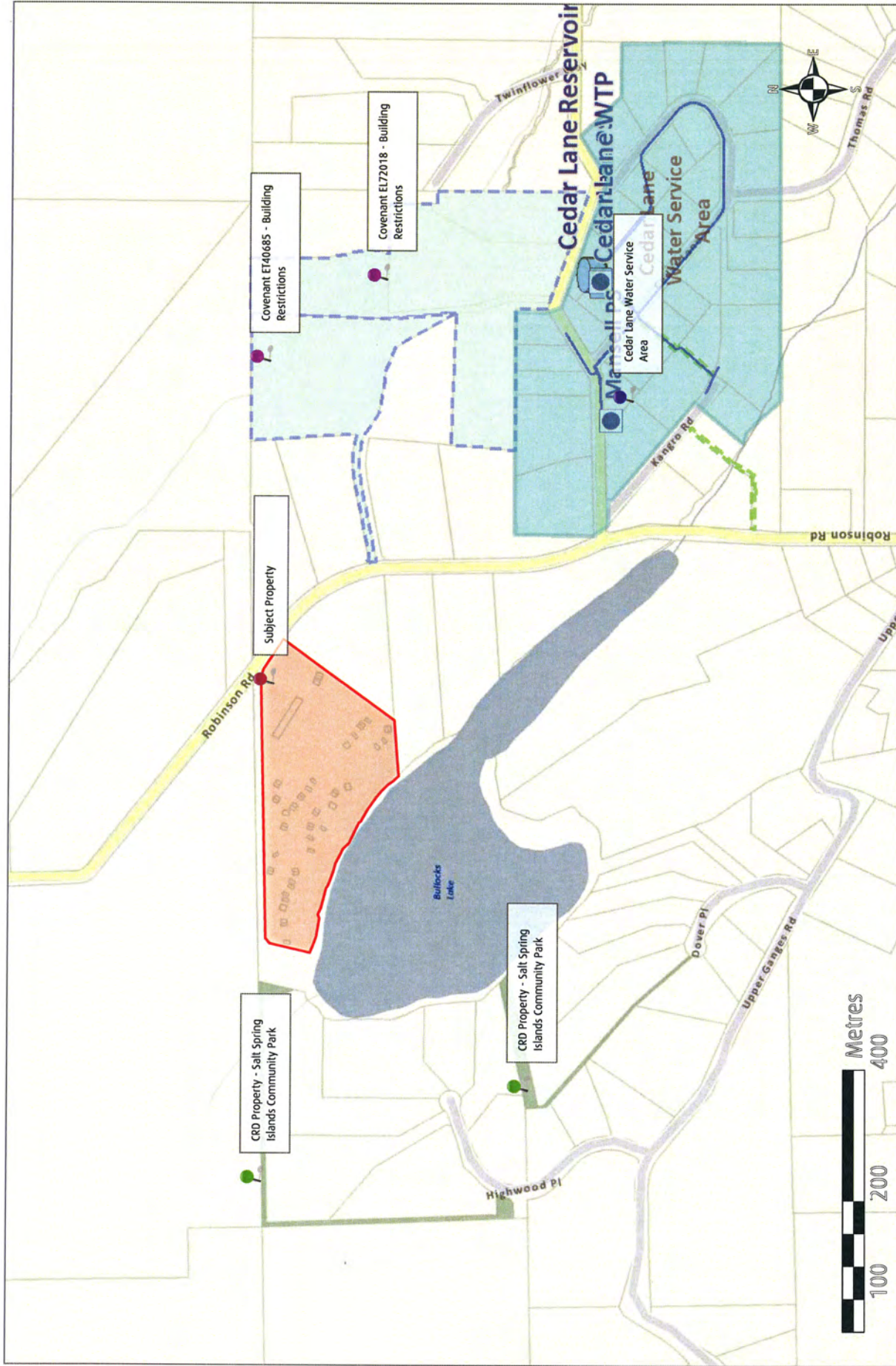
Penelakut Tribe

Tsartlip First Nation

Tsawout First Nation

Tsawwassen First Nation

Tseycum First Nation



Important

This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of the information shown on this map. The CRD is not responsible for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Printed Wed, Mar 12, 2014

CRD Interests

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>

Islands Trust SS-RZ-2013.5

CRD
Building 2.0 - Intramap 2.0

Date: February 20, 2014 **File No.:** SS-RZ-2013.5

To: Salt Spring Island Local Trust Committee
For the meeting of February 27, 2014

From: Justine Starke, Island Planner, Salt Spring Island

CC: Cameron Chalmers

Re: Rezoning and OCP Amendment Bullock Lake Cottages

Owner: 0915294 BC LTD

Applicant: Cameron Chalmers

Location: 315 Robinson Road
Strata Lots 1- 51, Section 7 Range 3 East, North Salt Spring Island Cowichan District
Strata Plan VIS4458 Together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1.

THE PROPOSAL:

This report presents a revised Bullock Lake Cottages development proposal for consideration of the Local Trust Committee. The applicant proposes to change the OCP designation of the subject property from Rural Neighbourhoods to a new designation "Bullock Lake Recreational Cottage" and rezone the property from Rural (R) to a new zone that would permit 50 commercial guest accommodation units and a 557.4 m² (6000 ft²) multi-use "amenity" building. The application was revised to exclude Phase 2, and remove Lots 2, 3, 4, 5 from any proposed development.



Existing Built Form Example

Specifically, the application is to create a "Bullock Lake Recreational Cottages" Official Community Plan policy framework that would include the following amendments:

1. Creation of a "Bullock Lake Recreational Cottages" designation and definition based on the development existing and proposed for the property for inclusion in the OCP;
2. An amendment to Map 1 of the OCP to redesignate Strata Lots 1-51 from the current Rural designation to the "Bullock Lake Recreational Cottages" designation;
3. The development of specific policy statements for the Local Trust Committee to consider in response to any future rezoning or development applications.

The proposed Land Use Bylaw amendment creates a new zoning framework to accommodate the Bullock Lake Cottages project. The proposal is to create a Comprehensive Development Zone (or new general commercial or commercial accommodation zone). The fundamental elements of the new zone are proposed to include the following:

1. New definitions of "recreational cottage" and "recreational cottage accommodation" or similarly named buildings and uses that permits the construction

- and use of cottages as non-residential cottage units for occupancy by owners, as well as managed accommodation units for the travelling public;
2. Inclusion of permitted use provisions to accommodate the amenity building, including accessory office space and a caretaker's suite;
 3. Size, siting, and setback criteria that reflects the built form on the property.

The application was further revised on February 3, 2014 with an amenity plan that proposes:

1. "The Amenity Building" – a multi-purpose building proposed to be available to community groups for booking at a reduced rate (cost recovery). The facility would also be reserved 20 hours/month priority booking for community groups. Community use of the building would be secured through a community use agreement.
2. "Conservation Covenant" – would establish a 30 metre conservation area through restrictive covenant that would protect the foreshore of Bullock Lake along the five properties owned by the applicant; equates to approximately 2.37 ha (5.68 ac) of land. In discussion with staff, the applicant has confirmed this to include a baseline ecological inventory of the existing sensitive ecosystem.
3. "Pedestrian/Bike Path Improvement" – a highway reservation agreement or public access easement agreement (or other mutually agreeable tool) to facilitate a bike/pedestrian path along the Robinson Road frontage of Strata Lots 1-51 and Lots 2-5 (excluding existing utilities and infrastructure).
4. Public Access to Lots 2-5 – 2.37 ha (5.86 acres) secured through legal agreement for a range of possible public uses. Suggestions include community gardens, passive recreation, or park uses. This would include restrictive covenant or other mechanism to prohibit future private development on these lots.

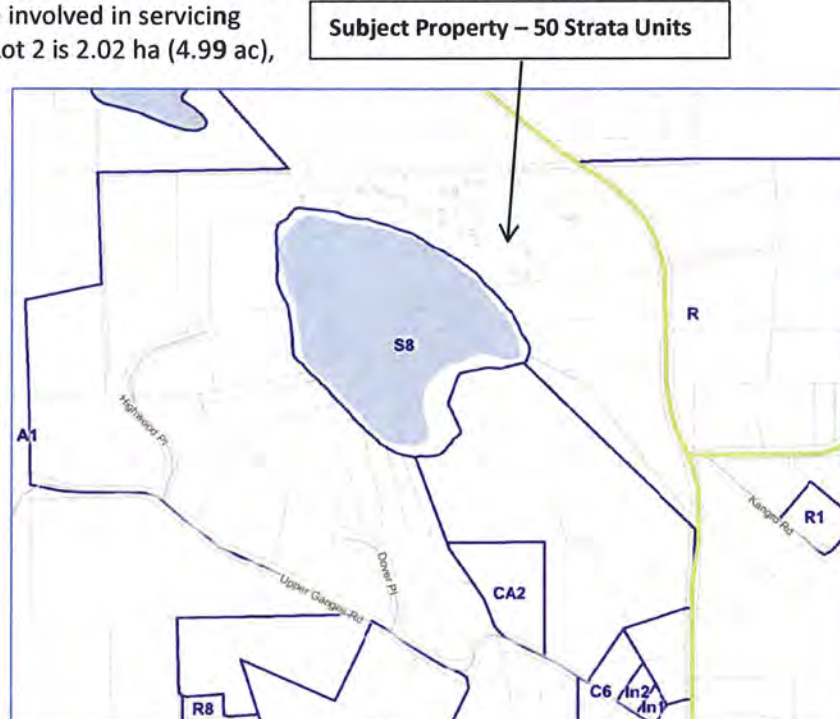
(Please see Appendix 1 to review full details of the amenity proposal)

SITE CONTEXT:

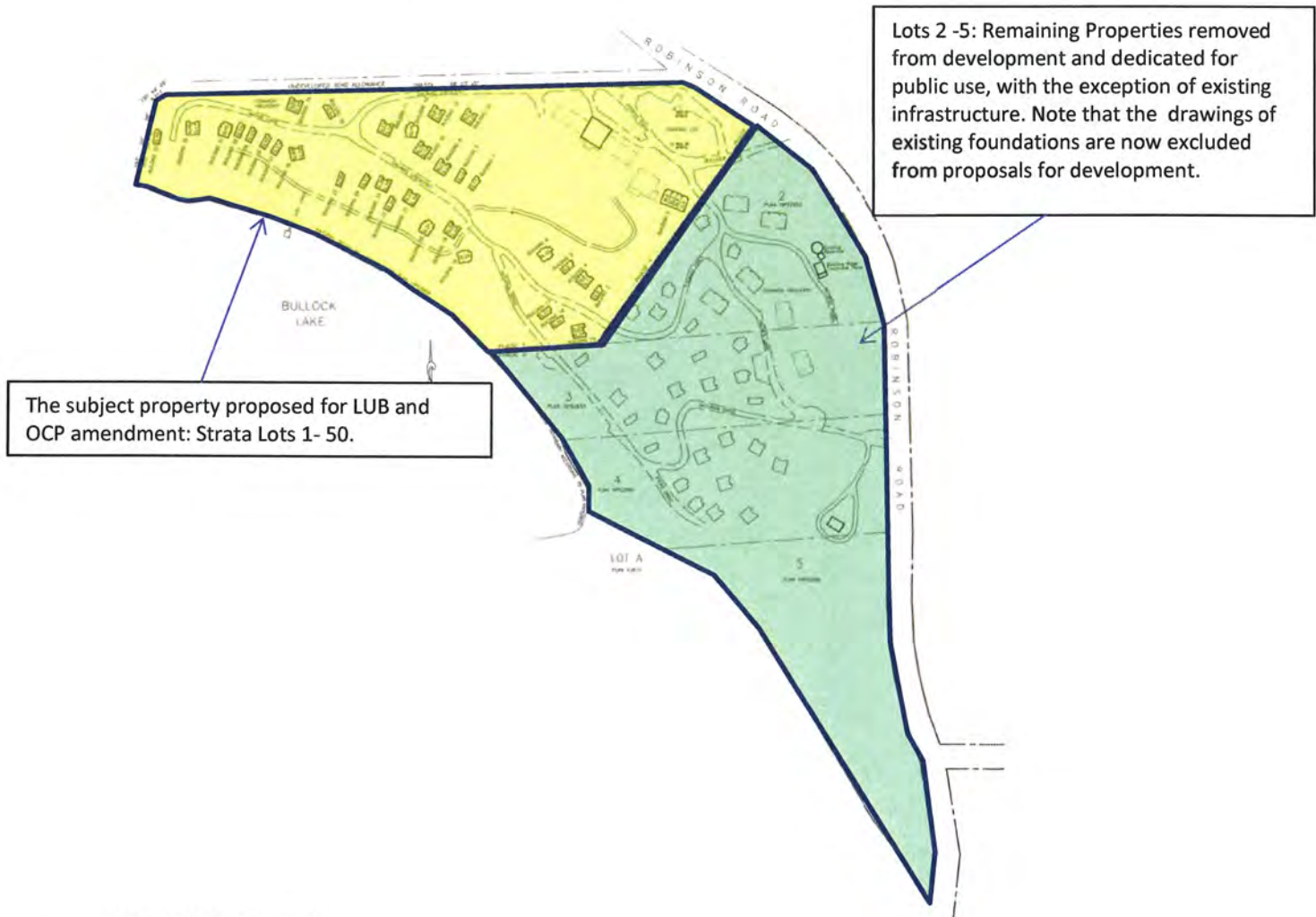
The total area of the site proposed for development is 6.20 ha (15.32 ac) and includes 50 strata lots and common property. The remaining lots 2-5 are not proposed for zoning and OCP amendments, but are held by the owner of the development and are involved in servicing infrastructure and in amenity proposals. Lot 2 is 2.02 ha (4.99 ac), Lot 3 is 2.02 ha (4.99 ac), and Lot 4 is 2.05 ha (5.07 ac). Lot 5 is 2.06 ha (5.1 ac) – it is in common ownership and has reciprocal access easements over Lots 1-4.

All subject properties have frontage on Robinson Road to the north and east, and frontage on Bullock Lake to the south and west.

There is an unopened Ministry of Transportation Right of Way on the western edge of the property. The subject properties are approximately 2.8 km from Ganges Village.



Bullock Lake Resorts Site Plan:



SITE CONTEXT CON'T:

According to Salt Spring Island Land Use Bylaw No. 355 the subject properties are zoned Rural (R). Properties to the northeast and to the south are zoned Agriculture 1 (A1) and are in the Agricultural Land Reserve. The neighbouring properties to the north and west and across Robinson Road to the east are also zoned Rural.

The subject properties are in a rural residential and agricultural neighbourhood. The property to the north is forested. The properties to the east and across Bullock Lake are residential, and two properties to the south are used for farming. The subject properties and properties to the north and east are designated "Rural Neighbourhoods" in the Salt Spring Island Official Community Plan Bylaw No. 434. There are two properties on the south side of Bullock Lake designated "Agriculture;" and Bullock Lake is designated "Marine Lake".

The subject properties slope toward Bullock Lake. There are 50 structures (cottages between 60 and 95% complete) on the strata lots and a foundation for an approximately 900 m² (9687 ft²) building on Strata Lot 1 and an additional 390 m² (4197 ft²) foundation on the strata common property. There are foundations for 73 additional structures on Lots 2, 3, and 4, which are no longer the subject of the proposed LUB and OCP amendments.

The average size of the structures on the strata lots is 105.95 m² (1140 ft²). The site also includes paved strata access routes on the common property that connect the existing structures and the servicing. There is connection to a water treatment building (approximately 90 m², 969 ft²) and reservoir (approximately 30 m², 323 ft²) on Lot 2 and a wastewater treatment building (approximately 120 m², 1292 ft²) on Lot 4. There is one dock that provides access to Bullock Lake.

Surrounding properties draw water either from individual wells or from Bullock Lake. Bullock Lake has been fully allocated in terms of water licenses. The surface area of Bullock lake is 10.2 ha (25.2 acres)¹. The lake has an estimated volume of 510 cubic decameters and flushes approximately once a year².

BACKGROUND

The Salt Spring Island Local Trust Committee received a preliminary report on this application on July 25, 2013. The Salt Spring Island Local Trust Committee passed the following resolution:

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee encourage the applicant for SS-RZ-2013.5 to hold a community information meeting (Chalmers, 315 Robinson Road). CARRIED

On November 14, 2014 the Salt Spring Island Local Trust Committee reviewed a request to enter into cost recovery for the applicant to resource a peer review of the technical reports. The SSI LTC passed the following resolution.

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee invite the applicant of SS-RZ-2013.5 (315 Robinson Road) to return with a request for extraordinary services and cost recovery in order to peer review its technical reports, following receipt of a revised proposal for a Land Use Bylaw and Official Community Plan amendment, and following a staff report that includes policy analysis of the revised proposal. CARRIED

The applicant did conduct community consultation on the project prior to finalizing submission of a revised development proposal. Site tours were advertised through the summer and fall and surrounding neighbours were invited to tour the site. There has also been selective consultation with community groups such as Water Council and the Chamber of Commerce. A community information meeting was held on November 30, 2013. On January 9, 2014, the SSI LTC received an update report with correspondence and results of the community consultation activities.

The following technical reports have been submitted with the application. All reports are available at the Islands Trust office.

- Applicant submission, "Bullock Lake Cottages Application for Official Community Plan Amendment and Rezoning," dated April 2013
- Revised Application – January 2014
- Amenity Proposal – February 3, 2014
- Economic Impact Study prepared by Grant Thornton, "Economic Impact Study, Bullock Lake Cottages, Salt Spring Island", dated December 2012

¹ Government of BC, Domestic Water Supply Potential of Blackburn, Bullock's, Ford, and Stowell Lakes Salt Spring Island, 1981. Retrieved from <http://www.env.gov.bc.ca/wat/wq/studies/drink81.pdf>

² Sprague, J. Nine Lakes on Salt Spring Island BC: Size, Watershed, Inflow, Precipitation and Evaporation, 2009. Retrieved from <http://www.islandstrust.bc.ca/ltr/ss/pdf/ssrptninelakes.pdf>

- Technical Memorandum (Water), prepared by Kerr Wood Leidal “Bullock Lake Cottages, Development Water Demands and Sustainable Well Yield”, dated May 1, 2013
- Hydrogeological Impact Assessment prepared by Waterline Resources Inc. “Hydrogeological Impact Assessment, Bullock Lake Cottages, Salt Spring Island, British Columbia”, dated May 14, 2013
- Technical Memorandum (Septic) prepared by Kerr Wood Leidal, “Wastewater System Assessment”, dated May 1, 2013.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Official Community Plan

Volume 1 - Land Use and Servicing Policies: The subject property is designated Rural Neighbourhoods (RL) by the OCP Bylaw No. 434. Bullock Lake is designated “Marine Lake”.

The entire shore of Bullock Lake is identified as a wetland on *OCP May 9a: Environmentally Sensitive Ecosystems* and on *Map 12: Potential and Existing Fish Habitat*. Robinson Road has been designated as a *Heritage and Scenic Road* by Map 15 and as a *bicycle route* by Map 5 of the OCP.

Please see Appendix 2(a) to review the OCP objectives that are considered relevant to this proposal; Appendix 2(b) contains an assessment of OCP policies. The discussion under “Staff Comments” is grounded in these objectives and policy considerations.

Volume 2 - Development Permit Area Policies: According to OCP Bylaw No. 434, the subject properties are located in the following Development Permit Areas:

- Development Permit Area 2: Non-Village Commercial and Industrial Island Villages,
- Development Permit Area 4: Lakes, Streams, and Wetlands, and
- Development Permit Area 5: Community Well Capture Zones.

Currently there is no application for any works; however development permit provisions would apply to any future construction including the proposed “amenity” building.

Land Use Bylaw 355

The land is currently zoned Rural by Land Use Bylaw 355.

Bullock Lake is currently zoned Shoreline 8.

The applicant has proposed including additional regulations in the Land Use Bylaw. The following elements of zoning would be relevant to LTC deliberations and could be drafted as part of a Bylaw:

Commercial Guest Accommodation Regulations: The applicant proposes to add new regulations to the Land Use Bylaw that would govern commercial guest accommodation.

Parking and Accessory Uses: LTC is encouraged to consider appropriate accessory uses and parking requirements for such a use. The Land Use Bylaw currently directs that one parking space be provided for each commercial guest accommodation unit. The applicant has indicated that they would seek a caretaker unit in addition to the 50 units of commercial guest accommodation.

Setbacks and Siting: The structures for Phase 1 and the treatment plants for servicing have been constructed, so LTC has limited ability to deliberate on appropriate siting for principal buildings. Further

measures to ensure that setbacks remain vegetated and clear of development may be proposed by the application following further consultation.

Trust Policy Statement:

If the Local Trust Committee resolves to proceed with the application, based on the OCP analysis staff will follow up with a report that analyses compliance with the Policy Statement and the Directives Only Checklist in accordance with Section 1.9 "Policy Statement Implementation" of the Islands Trust Policy Manual.

INTERESTS:

Islands Trust Fund:

The subject properties are not adjacent to any Islands Trust Fund properties.

Sensitive Ecosystems and Hazard Areas:

The shoreline of Bullock Lake, on the subject property as well as Lots 2-5, are identified as wetlands by the Islands Trust Ecosystem Mapping database. The same portions are identified on *OCP May 9a: Environmentally Sensitive Ecosystems*. The subject properties are also identified on *Map 12: Potential and Existing Fish Habitat*. The subject properties held by the owner are in a drainage basin that leads to a known fish bearing stream. Mapping has been completed by Madrone Environmental Services in June 2013 that identifies the Bullock Lake and shoreline wetlands as fish supporting and suggests a 10 metre SPEA for Bullock Creek.

Archaeological Sites:

Based on the data provided by the Provincial Remote Access to Archaeological Data, there are no known archaeological sites or areas of "significant potential" to contain unknown but protected archaeological sites on the subject property. This application will be referred to First Nations stakeholders as it proposes an amendment to the Official Community Plan.

Bylaw Enforcement:

There are no Islands Trust bylaw enforcement files on the subject properties.

Covenants:

- An Islands Trust Restrictive Covenant currently registered on title requires:
 - No construction: within 7.5 metres of Bullock Lake or 15 metres of any watercourse.
 - Flood protection: all construction to be 1.5 metres above natural boundary of the lake or any watercourse.
- Reciprocal internal access easements over the lots.
- Notice of Interest under Builder's Lien Act
- Statutory Rights of Way for BC Hydro and TELUS

Agricultural Land Reserve:

There is adjacent land in the Agricultural Land Reserve to the north and south. Groundwater supply has been demonstrated to be connected with land in the Agriculture Land Reserve across Robinson Road. A preliminary referral of the application to the Agricultural Advisory Planning Commission is recommended, as well as early consultation with the Agricultural Land Commission and the Ministry of Agriculture.

Servicing:

WATER

The applicant has provided two reports concerning water:

- Technical Memorandum dated May 1, 2013 from Kerr Wood Leidal regarding the water demand for the proposed development and sustainable well yield
- Hydrogeological Impact Assessment dated May 14, 2013 (received May 24, 2013) from Waterline Resources Inc.

A permit dated July 31, 2013 to operate the water system has been issued by the Island Health Authority. The permit contains the following conditions:

1. Correct the filter backwash line with an acceptable air gap to waste.
2. Implement a monitoring program to obtain additional information on the wells.

Early consultation with Island Health and the Ministry of Environment water Management Branch is therefore recommended.

The memo from Kerr Wood Leidal analyzed projected demand for the 50 units based on the following assumptions:

- Per capita water use will be 155 litres per day
- Occupancy of 2.5-3.0 persons per unit
- Water demand for the proposed additional multi-use building was estimated to be 30 litres per guest, for a maximum of 150 guests

The calculations in the memo posited a range of water demand from 6 m³ per day to 30 m³ per day and assumed that the average use would be 10.5 m³ per day. The sustainable yield for the production wells was 16.1 m³ (16 100 litres) a day

averaged over the year, which would mean that with the projected demand, the development would require an additional 310 m³ of water in July and August, when demand is expected to be highest. The memo from Kerr Wood Leidal concluded that there is an adequate supply of water based on these projections if an additional storage tank is constructed to cover the shortage expected in July and August. This additional storage would ensure the resort does not draw ground water in the summer, but uses the stored water for daily use.



Existing Water Reservoir

Current rural servicing standards as reflected in the Salt Spring Island Land Use Bylaw No. 355 suggest the following:

- 680 Litres per day for a seasonal cottage, or
- 450 litres per day for a commercial guest accommodation unit, or
- 225 litres per day per bedroom for a bed and breakfast, and
- 1590 litres per day for a community hall or church

The table below presents water requirements that could be anticipated for 50 units using the subdivision standards of Bylaw 355:

Use	Land Use Bylaw Standards	Water Required for 50 units*
Seasonal Cottage	680 litres	35 590 litres
Commercial Guest Accommodation	450 litres per unit	24 090 litres
Bed and Breakfast	225 litres per bedroom	24 090** litres

*includes 1590 litres per day for Community Hall use

**assuming two bedrooms

The applicant's proposal suggests that water management measures could be implemented to support volumes less than those contemplated by the Land Use Bylaw. Measures proposed by Kerr Wood Leidal to manage and reduce the water use include:

- Use of reclaimed water for toilet flushing in multi-use building
- Efficient fixtures (low flow showerheads and toilets, and high efficiency clothes washers)
- No dishwashers in cottages
- Installation of water meters
- Water consumption monitoring program

It is suggested that this conservation program be further developed and secured through a legal agreement that also compelled the future Strata Corporation to report consumption results to the SSI LTC annually, in order to ensure water demand does not exceed the demand assumptions in the water reports or the sustainable yield of the wells. While this has been discussed with the applicant, there is yet to be a commitment provided in writing. The VIHA permit for the waste disposal facility also requires the owner to implement a water conservation education program for strata owners.

The applicant has provided written correspondence dated February 12, 2014 confirming its previous offer to enter into a cost recovery process for third party peer review of the hydrogeological and water supply reports submitted in support of the rezoning application for 50 cottages. This would be advisable, given the concerns raised with the assumptions inherent in the water reports as well as the general concern over water security of the region.

WASTE DISPOSAL FACILITY

The applicant has submitted a Technical Memorandum from Kerr Wood Leidal dated May 1, 2013 that provides an assessment of the constructed wastewater system and the expected wastewater flow for the 50 units. A permit was issued by the Ministry of Environment in 1996 to discharge 95 m³ of effluent per day. The permit was transferred to the current owners in 2012. According to the permit, the owner is required to post financial security and receive final certification of the facility and operators before the final operational permits will be issued. The permit also requires the applicant to undertake a monitoring program. It is noted that a study of Phosphorous levels are not required as part of the monitoring program.

The BC Sewerage System Standard Practices Manual states that daily wastewater flow rates are 1136 litres per residence for one and two bedroom residences up to 148 m² (1593ft²). For 50 units the effluent discharge would total 56.8m³ per day (in addition to 4.5³ per day for the multi-use building). The Kerr Wood Leidal memo suggests that a more conservative estimate be used and estimates that the average daily flow would be 17.5 m³ per day with a peak daily flow of 34.8 m³ per day. The memo states that the treatment facility will provide advanced secondary wastewater treatment that meets the Ministry of Environment permit requirements.

The wastewater report analyzes the impact of 50 units and the multi-use building, noting that the systems in place "will work together to minimize the amount of nitrogen and phosphorus discharged into the receiving environment". The report states that the wastewater will be similar to Class A municipal wastewater effluent which is defined in the "Municipal Wastewater Regulation" under the *Environmental Management Act* as: "high quality municipal effluent resulting from advanced treatment with the addition of disinfection and nitrogen reduction."

Impact on Riparian Area/shoreline

As noted, the Bullock Lake shoreline is identified as a sensitive ecosystem. The application notes that no additional development of the foreshore is contemplated and has proposed a conservation covenant to protect the riparian area within a 30 metre buffer (the Riparian Area Assessment found the SPEA to only be 10 metres). A larger, 30 metre buffer may assist in protecting other riparian values beyond fish habitat (such

as water quality). It is recommended that a Registered Professional Biologist conduct a baseline ecological inventory of the proposed conservation area. The SSI LTC may also consider requesting a report from a professional limnologist (or another relevant field) on avoiding the potential for nutrient loading, including phosphorus, of the lake. Protection of an intact environmentally sensitive area through a conservation covenant is identified as an eligible community amenity in the Official Community Plan.

The current zoning of Bullock Lake would not permit additional docks. The existing dock may be lawfully non-conforming with the Salt Spring Island Land Use Bylaw 355; the onus is on the land owner to demonstrate the dock was constructed prior to Bullock Lake being zoned Shoreline 8 in 2001. If the dock is to be established as legal non-conforming under Section 911 of the Local Government Act, removal of the dock may be required.

Best Management Practices for determining lakeshore development capacity are available and have been used in BC and other jurisdictions³. The Government of Ontario has sponsored research resulting in a Lakeshore Capacity Assessment Model⁴ that suggests a maximum number of units based on lake characteristics. Part of that calculation would include recognition of existing development potential around Bullock Lake. There are 11 properties currently surrounding the lake in addition to the properties under consideration for this application. If proceeding with this application LTC may wish to have this evaluation completed by the applicant recognizing potential for development of all properties under current zoning.

Contaminated Sites

Community members have alleged contamination from the historical construction and burned materials from the fire to be buried on the site. It should be noted that the area of concern is not on the property where the 50 strata lots are located, but on the adjacent Lot 2 which houses the servicing infrastructure. On January 9, 2014, the SSI LTC passed a resolution requesting information on how to address this.

In 1997, the Salt Spring Island Local Trust Committee, along with all the other Islands Trust Local Trust Areas, passed a resolution to opt out of the site profile system under the Environmental Management Act. (A site profile is a form on which information about the land and the past and present uses of a site is recorded. These forms are used under the Act to screen property for possible contamination). Nevertheless, all land owners and operators are still subject to other provisions in the Environmental Management Act Regulations. For example, a site owner, operator or trustee is required to submit a site profile directly to a Director of Waste Management when a site is decommissioned or subject to foreclosure, even when the local government has chosen to opt out of receiving site profiles⁵. Land Use Bylaw 355 Section 3.2.1(2) prohibits disposal of any waste matter on land except as may lawfully be discharged under the Sewage Disposal Regulation, the Agricultural Waste Control Regulation or the Waste Management Act.

The applicant has updated that the following actions are underway:

- Tour of the property in November with concerned community member(s) to specifically define the area of concern

³ East Kootenay Integrated Lake Management Partnership and Interior Reforestation Co. Ltd, Columbia Lake Shoreline Management Guidelines for Fish and Wildlife Habitats, 2010. Retrieved from ftp://ftp.rdek.bc.ca/pdf/planning%20files/ekilmp/columbia/columbiashorelinemanagementguidelines_august242010_a.pdf

⁴ Government of Ontario, Lakeshore Capacity Assessment Handbook, 2010, Retrieved from http://www.ene.gov.on.ca/stdprodconsume/groups/lr/@ene/@resources/documents/resource/std01_079878.pdf

⁵ http://www.env.gov.bc.ca/epd/remediation/fact_sheets/pdf/fs06.pdf

- After the January 9, 2014 LTC meeting, the applicant extensively excavated the area of concern in order to gain an understanding of what may be located there.
- A relatively minimal amount of ash-based non-native material was found, including a small amount of wood construction waste and metal brackets.
- The applicant feels they have been able to define the area, and at this point do not believe the area represents a dump site of toxic material.
- An environmental engineer has been contracted and will be submitting the material found for laboratory analysis as the land use process moves along, in order to confirm this does not pose an environmental problem to the area.

Transportation

Access from Ganges Village to the site is via Robinson Road. Road is designated as a segment of Scenic and Heritage Road by OCP Map 15. The road is also designated as a bicycle route on by OCP Map 5. Initial development plans propose a single main strata access road to Robinson Road with an additional emergency access. The strata access routes that provide access to the existing structures and servicing infrastructure have been developed. The strata council(s) would retain ownership of these access routes as common property.

The application did not include details regarding the impact of the proposal on existing traffic patterns. The property is approximately 2.8 kilometres away from Ganges which is generally considered to be on the outer limit of walkability⁶. However, width and alignment of Robinson Road past Long Harbour Road does not support pedestrian connectivity and makes walking less attractive to users.

The provision and construction of bicycle lanes, pedestrian and bicycle pathways or trails that add to or support links in the island trail network are considered an eligible community amenity in the Official Community Plan. A pedestrian path/bicycle path has been proposed by the applicant to run along Robinson Road. Should the application proceed, the details of this would be worked out in consultation with the CRD Transportation Commission and potentially Island Pathways. Early consultation and referral to the CRD Transportation Commission and the Ministry of Transportation and Infrastructure is therefore recommended.

Climate Change Mitigation and Adaptation

This application proposes to make use of resources that have already been used in the construction of the structures and alterations to the site. The applicant has also made reference to the carbon benefits of excluding Lots 2-5 from development. Pedestrian and/or bicycle infrastructure help mitigate climate change impacts. A shuttle bus or bicycle valet to and from the ferries could be included in the resort's operating program – this would encourage guests to leave their cars and come to Salt Spring on foot or by bike.

Economic Impact

The existing 50 units are already strata-titled and the proposed multi-use facility building will be owned by the strata corporation. The intent of the project is for each unit to be individually owned, with the owners having the option to include their unit in a managed rental pool. The applicant has submitted an Economic Impact study which posits the economic benefits of the development to the community of Salt Spring Island, based on economic multipliers. The study was not updated to reflect the revised application, but the information provided regarding Phase 1 is relevant. The study concludes that:

⁶ For discussion of this issue see: Moudon et al. Journal of Physical Activity and Health, 2006. Retrieved from http://activelivingresearch.com/files/JPAH_7_Moudon.pdf

- Construction of the amenity building and other development projected under “phase 1” will yield an estimated 40 full time jobs over the construction period, with a total estimated economic output of \$5.9 million.
- Once the resort is in full operation (phase 1) the operating impacts are projected to directly employ the equivalent of 32 full time workers annually, with direct expenditures totalling \$2,164,000.
- The cottages will generate visitation to Salt Spring Island and will not compete directly with existing accommodation facilities on Salt Spring Island.
- It characterizes the model as a destination resort with unique amenities distinct from other commercial accommodation types on SSI.
- The strata ownership model will generate extra community economic benefits through owner usage
- When in operation, the resort will contribute to the local economy by demanding cleaning services and supplies; office services and supplies; catering; events coordination; wedding planners; landscaping services; property/strata management services.

COMMUNITY INFORMATION MEETING(S):

The applicant held a community information meeting on November 30, 2013. The results of this meeting as well as a summary of consultation to date were provided at the January 9, 2014 SSI LTC Meeting.

Should the application proceed, LTC may wish to deliberate on an early referral to the Advisory Planning Commission, Agricultural Advisory Planning Commission, First Nations as well as other relevant agencies detailed in this report.

CORRESPONDENCE:

Since January 9, 2014, several neighbours and community members have submitted correspondence. This correspondence is attached as Appendix 4. The correspondence and general reaction to this proposal demonstrate significant neighbourhood concerns with the proposal; there is particular concern over water supply, impacts on adjacent wells, land use and impacts on the Bullock Lake ecosystem. There is also concern about the relative economic benefits to the Salt Spring economy that can be expected. The correspondence should be considered in its entirety, along with correspondence in previous SSI LTC agenda packages; please also consider the results of the community meeting in November 2013 that was hosted by the applicant at the LTC’s request and included in the January 9, 2014 staff report to the SSI LTC.

STAFF COMMENTS:

The applicant proposes to change the OCP designation of the subject properties from Rural Neighbourhoods to a new designation “Bullock Lake Recreational Cottage” and rezone the property from Rural (R) to a new zone that would permit 50 commercial guest accommodation units and a 557.4 m² (6000 ft²) multi-use building on Bullock Lake. This application is unique in its history and the fact that, with the exception of the amenity building, the built form of the proposal is largely complete. The existing buildings have never been occupied and the resort has never been used. Underlying discussion of the application is a question of the “existing non conformity” of the development. This is a matter that is separate from the land use planning deliberations of LTC and for which planning staff do not offer perspective or advice. From a policy perspective, the application proposes a significant increase in density from the existing zoning and OCP designation.

The key question for LTC to consider is whether there is merit in amending the OCP to support the rezoning of this property in order to support the existing built form to be used as a resort destination. The Salt Spring Island Official Community Plan contains a number of objectives and policies that relevant, as can be seen in

reviewing the appendices. Central to this application are considerations of impacts to ground water, impacts to the ecological health of Bullock Lake, neighbourhood impacts, and economic benefits.

Ground Water

The area is known to have issues with groundwater supply. The Kerr Wood Leidal memo assumed a completed water distribution system and concluded that the treatment system in place is adequate. This memo described two production wells on the property, a water treatment plant, and a water storage reservoir with a capacity of 332 m³.

The technical memorandum concerning water demands and sustainable well yield confirm there is adequate water for the proposed density and uses. The reports provided by the applicant make conservative assumptions about water use for occupancy of the 50 units. Estimates for water supply are based on the size of the units (assuming 2 bedrooms and average unit occupancy of 2.5 or 3 people). The report assumes water demand of 155 litres of water per day per capita which is less than the current requirements of the Land Use Bylaw and of the requirements of the Capital Regional District at the time of Building Permit application.

The water analysis notes that there will be water shortages during July and August and recommends additional water storage to make up the difference between demand and supply. The Waterline Resources Inc. report concluded that the existing wells are directly connected to wells on a neighbouring property. This report also concludes that the production wells are not likely to be connected to Bullock Lake and that pumping from the wells will not impact the water levels of the lake. The assumption that 16.1 m³ is a sustainable well yield is based on current water use of 3.3 m³ on the neighbouring ALR property. If water pumping from the neighbouring well increases, pumping 16.1 m³ litres per day for the commercial guest accommodation use is anticipated to draw down the aquifer.

It is recommended that should the SSI LTC proceed with this application, it enter into a cost recovery agreement with the applicant to have the water reports peer reviewed, as has been suggested by the applicant. Essential to this third party peer review is an analysis of the underlying assumptions and an assessment of the projected levels of water demand. Should this peer review support the conclusions of the existing reports, it is recommended that, as conditions of bylaw approval:

- the applicant install water metres on each of the units
- the applicant develop a water conservation management plan that includes education and holds consumption rates of each strata unit owner to those estimated in the water reports
- that the future strata corporation be required by legal agreement to report annually to the SSI LTC with the resulting water metre data for each of the strata units.

Economic Benefits

The applicant's economic impact study proposes that the cottages will generate visitation to Salt Spring Island that will not compete directly with existing resorts. The strata ownership model is proposed to complement the community by having the owners more engaged and committed to the community than on-time tourists. It is also thought this model will generate extra community economic benefits with year round spending. When in operation, the resort will contribute to the local economy by demanding cleaning services and supplies; office services and supplies; catering; events coordination; wedding planners; landscaping services; property/strata management services.

Health of Bullock Lake

The shoreline is known to be a sensitive ecosystem and an important riparian area for fish protection. The conservation covenant would include a baseline ecological inventory and an analysis of how to protect the riparian area from disturbance.

Potential impacts of the proposed development on Bullock Lake may be addressed through the conservation covenant and/or further professional reports offered by the applicant. To further conform with OCP policies, it is recommended that a drainage report be commissioned, as well as a professional report that makes recommendations on avoiding an increase in nutrient loading that may degrade water quality of the lake. The LTC may also seek specific advice from Ministry of Environment at time of Bylaw referral.

Neighbourhood Impact

While the neighbourhood has already been visually impacted by the development, the resort has never been occupied or used. The current zoning of the property and surrounding area permits low density residential development. The change in use will be screened from the road but the siting of the proposed development on the lake and the proposed size of the development is likely to have impacts on the character of the neighbourhood, especially with regard to traffic, noise, water supply, and level of activity.

Land or facilities for community cultural or recreational purposes is an eligible community amenity. The proposal to dedicate Lots 2-5 for community use has the potential to improve the neighbourhood by offering a opportunities for community gardening, hiking, or passive recreation. Removing these properties from residential development also serves to keep the neighbourhood less developed. Provision of transportation alternatives such as a pathway along frontage of Lots 1-51 and Lots 2- 5 as well as a conservation covenant along the shoreline are considered to meet some climate change goals and mitigate the traffic impact of the proposed development.

Community Amenity

The guidelines for amenity zoning applications are attached as Appendix 2(c). These guidelines do not contemplate an increase in density as significant as that proposed for this application. Further, the guidelines specify that the increase in density permitted as a result of the amenity contribution should not exceed the maximum density permitted by the existing neighbourhood designation. Despite this, the applicant has offered an amenity package that strengthens the proposal's compliance with OCP policies and also mitigates some of the perceived negative impacts of the development.

OCP Compliance

As can be seen by reviewing the OCP objectives attached in the Appendix 2a, there are a number of areas where the scale and location of this development is at odds with the goals of the community plan. The application proposes a density envisioned in the previous CA-2 Commercial Accommodation Zone, but proposes a significant increase in density for the current Rural Zoning. Without the proposed amendment to the OCP designation, the proposal is notably inconsistent with the policies of the Rural Neighbourhoods designation. However, the application is proposing a different OCP designation and deliberations should focus on the *OCP policies* that guide this decision. Appendix 2b demonstrates that there are two policies where the application conflicts directly with OCP policy and mitigative measures cannot be taken:

1. B.2.3.2.3 *Village containment boundaries for Ganges, Fulford and Channel Ridge Village are identified by the Village Designations on Map 1. The intent of village containment boundaries is to keep village development compact, and prevent 'leap frog' development, reduce the need for additional infrastructure and services, minimize the loss of rural lands, and minimize impacts on sensitive ecosystems and other environmentally sensitive areas. The Local Trust Committee should not approve rezoning applications that would allow large new commercial, institutional or multifamily development outside Village Designations. Exceptions should be made for new village or hamlet applications, for applications to provide affordable housing, for neighbourhood convenience stores and for home based businesses as*

outlined in Section B.3.2. Expansion or extension of containment boundaries should only be considered where there are no available sites within the containment boundaries. Any such expansion or extension should incorporate land next to an existing boundary, lands which do not contain sensitive ecosystems, lands which do not exhibit geo-technical or other hazards, lands that are along existing transportation routes, and lands which can provide efficient access to potable water and other services.

2. *B.3.1.2.7 No additional properties on Salt Spring Island should be zoned for resorts, hotels or motels until the percentage of built units has reached at least 80 per cent of the current (2008) development potential. Future levels of development around lakes and streams should be restricted if there would be negative impacts on the supply or quality of freshwater resources.*

A key deliberation is whether the future growth of Salt Spring Island would benefit from this proposal. The policy analysis reveals that there are a number of areas where the application can implement policy direction by proposing to protect the sensitive ecosystem, offering community benefits such as land and a facility for cultural activities and recreation, building an energy efficient amenity building, and by dedicating a bike/pedestrian path. Central to determining consistency with the OCP policies is the necessity to ensure that the resort will not negatively impact the groundwater supply of the neighbourhood. Further mitigation of the impacts of the development would be assisted by a drainage report, and the conservation covenants to ensure protection of water quality and the riparian area.

RECOMMENDATIONS:

OPTION 1: PROCEED NO FURTHER

The Local Trust Committee is advised that if it does not, in its discretion, consider an application to be sufficiently consistent with the Official Community Plan, it need not proceed further. As noted, there are many objectives of the OCP that caution against the location and scale of this proposal. There also are two key policies that are inherently at odds with the proposal, as discussed above. The precautionary principle is a central tenant of the Official Community and supports a motion of proceed no further.

OPTION 2: PROCEED TO EARLY CONSULTATION WITH AGENCIES

It is recommended that the SSI LTC decide on "Option 2." While the application is not seen to further a number of OCP objectives, it is the policies that require consistency in evaluating whether an application is in direct collision with an OCP. A deeper understanding of the application relative to the OCP policies can be achieved through a peer review of the water reports; a study of the potential for phosphorus to enter the lake, through feedback from relevant agencies; and through negotiations with the partners needed for implementation of the amenity package. In exercising this level of due diligence, the SSI LTC can indeed apply a precautionary approach and allow the community to consider the relative benefits of the proposal as a whole.

If the LTC does consider proceeding, the following next steps are recommended in advance of drafting bylaws for consideration:

1. Direct staff to refer the current staff report to the Advisory Planning Commission and the Agricultural Advisory Planning Commission.
2. Direct staff to send a preliminary referral to First Nations as well as the Ministry of Environment, Island Health, the Cedar Lane Water District, the Capital Regional District Transportation Commission, CRD Park and Recreation Commission, the CRD Economic Development Commission,

the Ministry of Transportation and Infrastructure, the Agricultural Land Commission, and the Ministry of Agriculture.

3. Direct staff to enter into a cost recovery agreement with the applicant for third party review of the potable and waste water reports, according to mutually agreed terms of reference. Essential to this third party peer review is an analysis of the underlying assumptions and an assessment of the projected levels of water demand. Should this peer review not support the properties' ability to provide water for the resort use without depleting neighbouring wells or exceeding a sustainable yield of the aquifer, it is recommended that the SSI LTC proceed no further with the application.
4. In order to lend certainty to the application, staff note that the anticipated steps prior to public hearing and/or prior to bylaw adoption would include:
 - a) Conservation Covenant to protect a 30 metre riparian area along the shore of Bullock Lake (excluding existing works). This covenant is to be informed by a baseline inventory of the riparian area performed by a Registered Professional Biologist or Ecologist, and including recommendations for mitigating upland impacts on the conservation area; and measures for annual covenant monitoring.
 - b) Implementation (through works or legal agreement) of a drainage study of the land that holds Lots 1-50 and common property, conducted by a Professional Engineer with expertise in hydrogeology.
 - c) Implementation (through works or legal agreement) of a professional report by a limnologist or similar registered professional that makes recommendations for avoiding any nutrient loading of Bullock Lake that may result from the resort's operation. If nutrient loading cannot be avoided, the SSI LTC is recommended to proceed no further with this application.
 - d) That the amenity building be required to include energy efficient design that exceeds the BC Building Code
 - e) A Community Use agreement for the amenity building to ensure reduced rental rates for community groups and 20 hours/month of priority booking.
 - f) Installation (or mechanisms to ensure installation) of water metres on each of the units
 - g) Development of a water conservation management plan that includes education of future strata members and guests
 - h) Implementation of the water conservation plan through a legal requirement for annual reporting to the SSI LTC by the future Strata Corporation, confirming consumption rates of each strata unit do not exceed the sustainable yield identified through professional reports
 - i) Construction (or mechanisms to ensure construction) of an additional water storage tank as per recommendations in the Kerr Wood Leidal water report.
 - j) Agricultural buffers as landscaping provisions in the bylaw
 - k) Agreement with the Transportation Commission or other entity for the dedication and construction (or other agreement) of a pedestrian or bicycle path along Robinson Road (excluding existing accesses and works).
 - l) Public Access to Lots 2-5 – secured through legal agreement for a range of possible public uses including but not restricted to: community gardens, passive recreation, or park uses. This would include restrictive covenant or other mechanism to prohibit future private development on these lots.
 - m) Any required easements to implement the project's goals.

RECOMMENDATIONS:

THAT the Salt Spring Island Local Trust Committee direct staff to refer the current staff report dated February 20, 2014 for application SS-RZ-2013.5 (Chalmers, 315 Robinson Road) to the Advisory Planning Commission and the Agricultural Advisory Planning Commission.

THAT the Salt Spring Island Local Trust Committee direct staff to send a preliminary referral of application SS-RZ-2013.5 (Chalmers, 315 Robinson Road) to First Nations as well as the Ministry of Environment, Island Health, the Cedar Lane Water District, the Capital Regional District Transportation Commission, CRD Park and Recreation Commission, the CRD Economic Development Commission, the Ministry of Transportation and Infrastructure, the Agricultural Land Commission, and the Ministry of Agriculture.

THAT the Salt Spring Island Local Trust Committee direct staff to enter into a cost recovery agreement with the applicant of SS-RZ-2013.5 (Chalmers, 315 Robinson Road) for third party review of the potable and waste water reports, according to a terms of reference mutually agreed to by the applicant and Islands Trust staff.

Prepared and Submitted by:

Justine Starke, Island Planner, Salt Spring
Island

Date

Concurred in by:

Leah Hartley

Date

Appendix 1: Amenity Proposal
Appendix 2a: OCP Objectives
Appendix 2b: OCP Policy Analysis
Appendix 2c: Amenity Zoning OCP Extracts
Appendix 3: Correspondence

**Amenity Proposal
Bullock Lake Cottages
315 Robinson Road
Salt Spring Island, BC
February 3, 2014
File #: SS-RZ-2013.5**

1 Introduction

The following represents a comprehensive amenity proposal in support of the application for Official Community Plan (OCP) and Land Use Bylaw (LUB) amendment at 315 Robinson Road. It is based on the revised application for the 50 existing cottage units submitted January 2014.

2 Background

In May 2013 application was made for OCP and LUB amendment to restore a commercial land use and appropriate zoning regulations for the 50 existing cottages and the existing foundations for another 73 units as a future second phase for a total of 123 cottages. The application also included a +/- 6,000 sq.ft. amenity building.

In January 2014, the Owner revised the application to eliminate any consideration of future development on the existing foundations, and limiting the application to only the 50 cottages that have been built on the property, a 60% reduction in the scale of the initial proposal.

The amendment was driven largely by comments and feedback heard through the public consultation process. That process also identified other community needs and aspirations that have informed this amenity proposal.

3 Proposed Amenities

The following amenities are being offered in conjunction with the approval of the rezoning application for the 50 existing cottages. All amenities will be provided or appropriately secured before adoption of the zoning bylaw. Any additional amenity requests, offsite improvements, or alterations to the proposal will affect this amenity proposal.



3.1 The Amenity Building

Amenity

The proposal includes the provision of an amenity building as described in the application. The upper level of the building will be made available to not-for profit and community groups and organizations on a cost-recovery basis as community space. The intent is the facility could be used for community meetings, gatherings, celebrations, and learning.

Implementation

The Owner is prepared to offer a "community use agreement" to make the facility available to not-for-profit organizations and other community organizations for events. The agreement will include provisions to cap the rental rate at the true cost-recovery rate for cleaning service and triple net for all community based rentals. The agreement will provide for a minimum availability of 20 hours per month for community use. The agreement will also contain provisions regarding scheduling practices for additional community use above the 20 hours per month which will be provided for at the reduced rental rate.

3.2 Conservation Covenant

Amenity

To acknowledge the sensitivity of the Bullock Lake foreshore, the Owner is prepared to enter into a conservation covenant, or other similar restrictive covenant, to preserve the foreshore of Bullock Lake and Bullock Creek riparian area.

In addition to the covenant, the Owner will agree to posting interpretive signage at all access points and at various intervals along the lake frontage advising of the sensitivity of the lake, and its importance to adjacent agricultural users, and to encourage preservation of the foreshore area.

Implementation:

If a suitably qualified and willing conservation organization (including the Islands Trust Fund) can be identified in a timely manner, the Owner will enter into a conservation covenant as legally described with that organization. If a suitably qualified and willing organization cannot be identified in a timely manner, the Owner will enter into a similar restrictive covenant prohibiting any disruption or development of the foreshore.



In either event, the agreement will establish no-development and no disturbance areas of 30 metres from the current surveyed boundary of the entire Bullock Lake and Bullock Creek frontages. This will equate to approximately 2.37 ha (5.86) acres of land to be conserved in perpetuity.

The agreement will also require the Owner, or any successors such as the Strata Council, to post and maintain interpretive signage about the ecological and agricultural importance of Bullock Lake for at all access points and at intervals along the frontage. If a conservation organization is involved, they can prepare the content of the signage in concert with the Owner should they choose.

The agreement will acknowledge the presence of the existing dock, and will provide for its repair or replacement with a similar size dock. Any existing development or improvement that exists as of the date of approval will be identified and exempted from the agreement.

3.3 Pedestrian/Bike Path Improvement

Amenity

In acknowledgement of the significance and extent of the Robinson Road frontage, the Owner is prepared to work with the Capital Regional District and/or Islands Pathways to facilitate pedestrian and cycling improvements along the extent of the Robinson Road frontage. This will involve making land available adjacent to the existing highway allowance for a separated pedestrian/cycling path.

Implementation

The Owner is prepared to enter into a highway reservation agreement, public access easement agreement, or other mutually agreeable document to provide access to 4 metres of the Strata Lots 1-51, and Lots 2-5 except where existing entrances, parking areas, service roads, as well as existing and future utilities and infrastructure are located. This amounts to a land dedication of up to 0.26 ha (0.64 acres).

Any agreement will indemnify and save harmless any Owner, Owner Developer, or Strata Corporation.

Any agreement will allocate responsibility for ongoing maintenance to the CRD, Islands Pathways, or other suitable organization. Additional details about the frontage trail will emerge through consultation with the CRD's Transportation Commission, and review of the relevant transportation and cycling plans.



3.4 Public Access to Lots 2-5

Amenity

The Owner is prepared to make most of Lots 2-5 available for public access and public use, except for the existing infrastructure locations. Under the current zoning, the land may be used for agricultural uses such as community gardens or other site suitable agriculture. Under the uses permitted in all zones, passive recreation such as pathways, agriculture, or other park uses are permitted for public enjoyment. This will result in approximately 6.23 ha. (15.39 acres) being made available for public access, in addition to the 2.37 ha (5.86 acres) of land encumbered by conservation covenants and existing servicing infrastructure.

Though there may be a small level of development for pathways, community agriculture, or park use, it is anticipated that the land will remain largely undeveloped and be allowed to regenerate to help protect the integrity of the lake, provide habitat, and offset some of the carbon impacts arising from the operationalization of the existing 50 cottages. The intent of the Owner is to preserve sensitive portions as described in the conservation covenant section, and then secondarily to provide public access for a range of public uses on the portions suitable for such use.

Implementation

There are several implementation options, depending on the long-term ownership of the lands, which will be resolved through the process. Though subject to final decision and negotiation, the present proposal is to have the Strata corporation own the land so as to protect the existing water and sanitary treatment plants and associated infrastructure. Security of existing utilities between properties is already restricted on title through reciprocal easement agreements.

The land would then be encumbered with agreements such as a park use agreement, public access easement agreement or other community use that permits public access to portions of it for pathways, community agriculture, passive recreation, and small park use such as a tot-lot, provided said access does not conflict with the conservation covenant areas, and protects the existing and future water and sewer infrastructure. Details of future development or programming will emerge through the remaining community and agency consultation.

There would likely also be a restrictive covenant preventing development or construction on the site for anything other than the uses noted above.

The Owner, Owner Developer, and/or Strata Corporation would all be indemnified and held harmless by any agreement.



4 Summary

As mentioned, the amenity proposal is calibrated to the approval of the rezoning application as amended in January 2014 for the 50 existing cottages. The amenity proposal would see approximately 9.11 ha (22.5 acres) of the 14.36 ha (35.5 acre) property, or over 61% of the land available, set aside for pedestrian improvements, conservation or community use.

Though this proposal suggests implementation options, the Owner is open to discussing whatever mechanisms or approaches necessary to achieve the amenities described herein.

*Affordable Housing
166 Drake Road*

Salt Spring Island Transportation Commission
Agenda May 20 2014
Item 6.6

Memo

CRD

TO: Bob Lapham, Chief Administrative Officer
Larisa Hutcheson, General Manager Parks, Environmental Services
Ted Robbins, General Manager Integrated Water Services
Diana Lokken, General Manager Finance and Technology
Travis Whiting, Acting General Manager of Planning and Protective Services
Maurice Rachwalski, Acting General Manager of Planning and Protective Services

FROM: Jessica Arnet
Property Systems Officer.

DATE: April 15, 2014 **FILE:** REP2014-00117

SUBJECT: Islands Trust – Referral SS-RZ-2013.9, Rezoning for Multi-Family Affordable Housing Complex within the Ganges Village Core.

Please be advised that the Islands Trust has requested the CRD to comment on the attached referral. Please review the application carefully before providing your response. Also, please see the attached map for the location of the subject property as well as flagged locations of known CRD land interests.

Please note that this referral is in regards to a CRD Housing Secretariat project and some departments may already be working directly on this project. This is an opportunity for other departments to be aware of this project and provide comments where appropriate.

Our response deadline is Friday, May 8th therefore we please ask that you have your responses back to us by **Monday May 5th, 2014**. This will allow for sufficient time for questions and to review and coordinate responses that we will send to the Islands Trust on your behalf. Should you require a time extension to prepare your response, please let me know how long you need and I will make every effort to meet your timeline.

For more information on the referral, please refer to the attached copy of the application. If you have any questions or concerns specific to the application, please contact the writer of this memo at jarnet@crd.bc.ca or ext. 3173. All correspondence and communication with the <referral agency> should go through the Real Estate & Property division.

Best Regards,

Jessica Arnet.

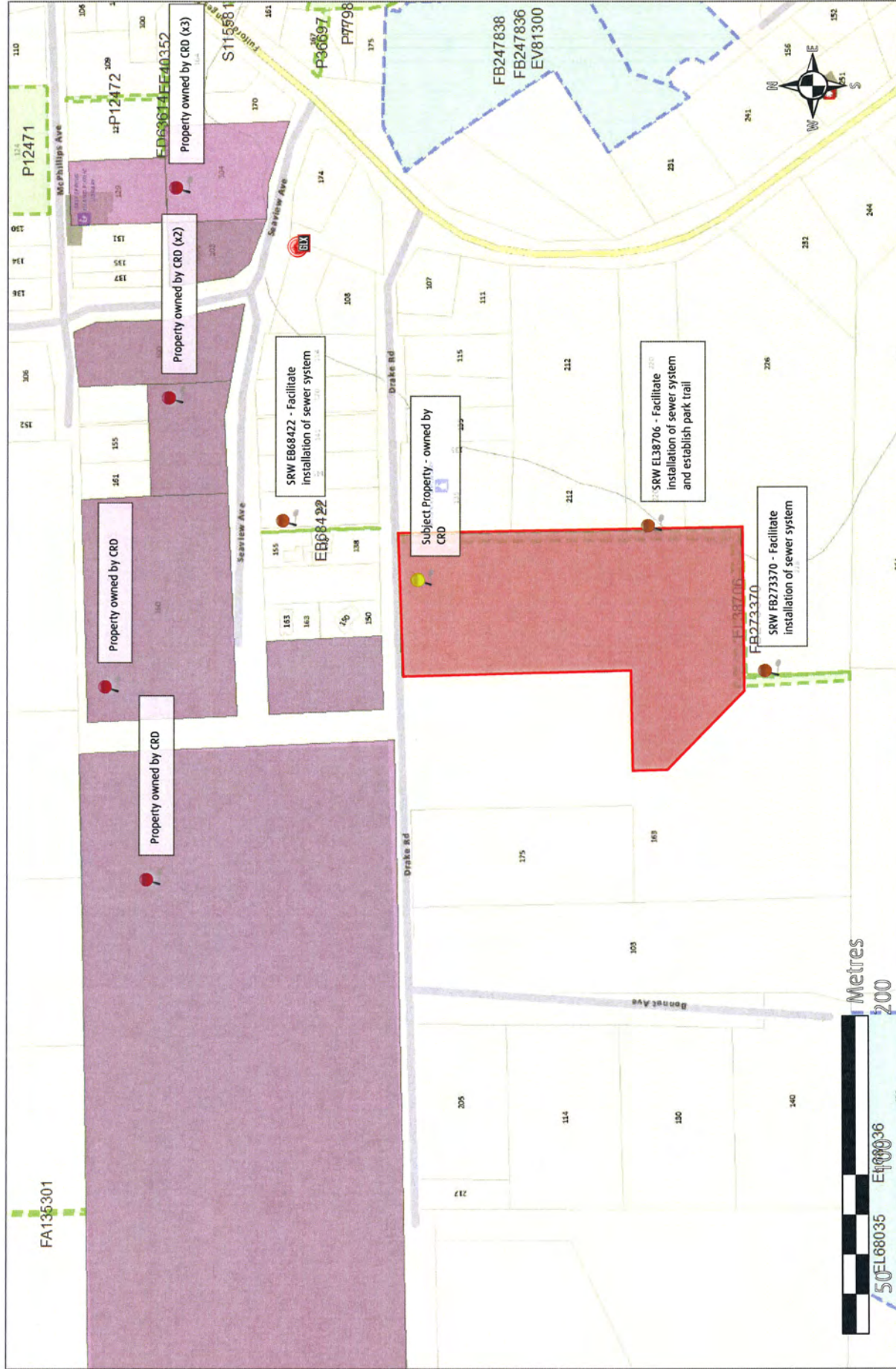
Attachment(s): 2

JA:JA

Memo

The logo for the Congressional Research Service (CRS), featuring the letters "CRD" in a stylized, bold, sans-serif font. The letters are white and set against a dark, textured background that resembles a stylized wave or a series of overlapping shapes.

CC: Treace Alton, Executive Assistant
Cathy Leahy, Senior Administrative Secretary
Margaret Montague, Executive Assistant
Stacey Bligh, Senior Administrative Secretary
Teresa Taylor, Senior Administrative Secretary



Important

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Printed Tue, Apr 15, 2014

CRD Interests

Salt Spring Islands SS-RZ-2013.9

Intramap 2.0

Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca





Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
sslinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: N/A Date: April 10, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information, a Public Hearing to consider the Bylaw will be held once the proposal is advanced through the bylaw approval process.

APPLICANTS NAME / ADDRESS:

Janis Gauthier c/o J.G. Consulting Services Ltd.
2161 Fulford-Ganges Road
Salt Spring Island
V8K 1Z7

PURPOSE OF BYLAW:

Note this is a preliminary referral for input into a rezoning prior to bylaw drafting.
The Capital Regional District (CRD) proposes a multi-family affordable housing complex of up to 80 units to be built within the Ganges Village core. The units will be a mix of non-profit, mixed entry-level homeowner and affordable rental housing with complementary amenities. Housing affordability will be ensured through long-term housing agreements.

GENERAL LOCATION:

161 Drake Road, Salt Spring Island

LEGAL DESCRIPTION:

Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District Plan EPP20136; PID: 028-848-870

SIZE OF PROPERTY AFFECTED:

2.2 ha (5.5 ac)

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

Ganges Village Core

OTHER INFORMATION:

This is a preliminary bylaw referral for early consultation. A second referral will be circulated when a bylaw is proposed for this development. Attached is a copy of a staff report received by the Salt Spring Island Local Trust Committee on March 20, 2014

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this proposal.

(Signature)

Name: _____

Title: _____

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Transportation & Infrastructure

Regional Agencies

Capital Regional District (may include Ganges Sewer Commission and the Transportation Commission)
CRD Engineering Services
School District #64
Salt Spring Island Fire Rescue

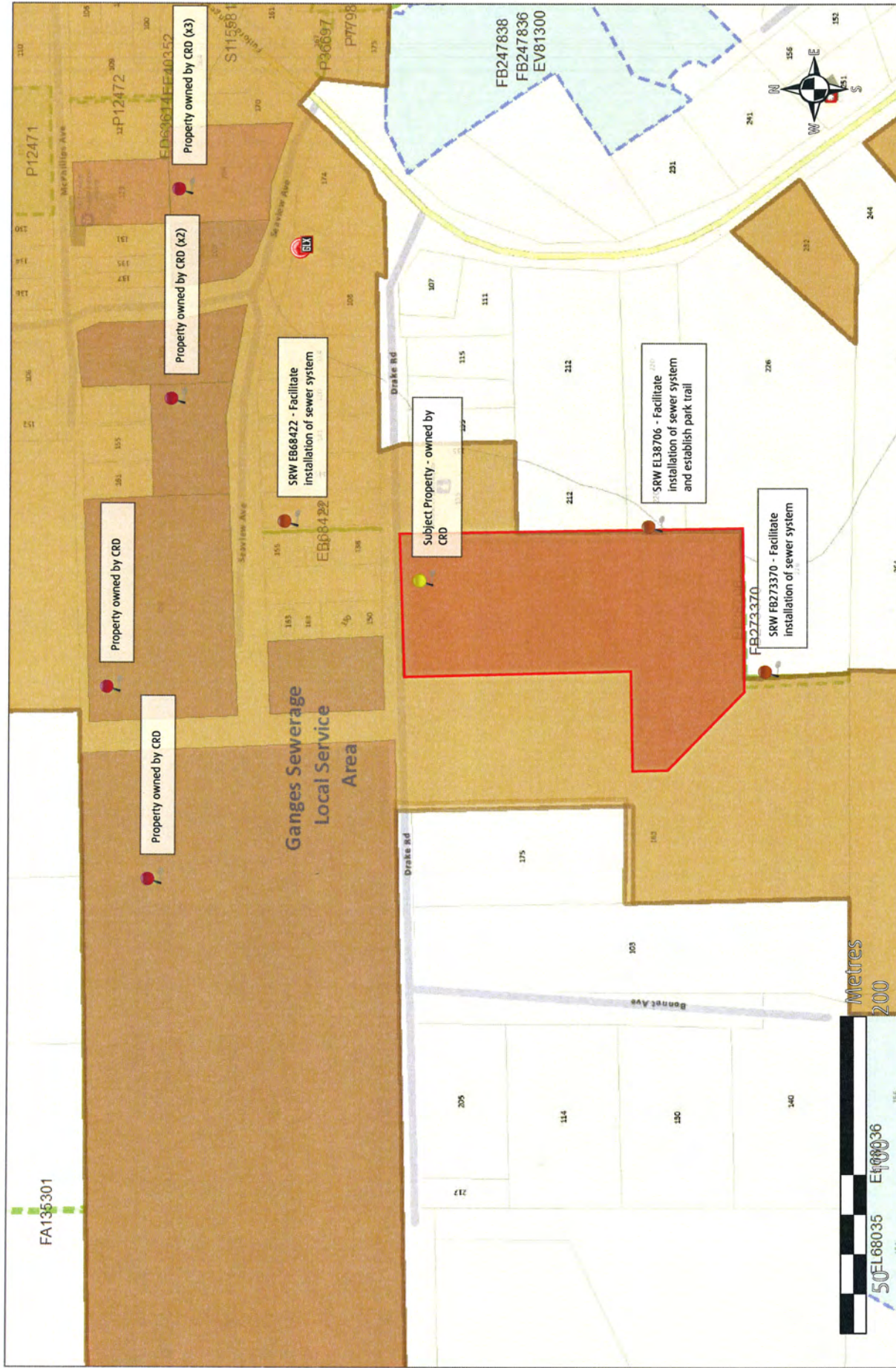
Federal Agencies

N/A

Adjacent Local Trust Committees and Municipalities

N/A

PLEASE TURN OVER →



Important

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Printed Tue, Apr 15, 2014

CRD Interests

Salt Spring Islands SS-RZ-2013.9

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
http://www.crd.bc.ca



STAFF REPORT

Date: March 11, 2014

File No.: SS-RZ-2013.9

To: Salt Spring Island Local Trust Committee
For meeting of February 27, 2014

From: Stefan Cermak
Planner, Local Planning Services

CC: Janis Gauthier

Re: Rezoning Application: Preliminary Report

Owner: Capital Regional District

Applicant: Janis Gauthier, JG Consulting Services Ltd.

Location: Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District
Plan EPP20136; PID: 028-848-870

Civic Address: 161 Drake Road, Salt Spring Island

THE PROPOSAL

The Capital Regional District (CRD) proposes a multi-family affordable housing complex of up to 80 units to be built within the Ganges Village core (Figure 1). The applicant proposes a 3-phase master plan that establishes maximum density, footprint, parking requirements, height limits, and environmental requirements. The units will be a mix of non-profit, mixed entry-level homeowner and affordable rental housing with complementary amenities. The applicant is seeking flexibility regarding phasing and building form to allow the project to be guided by need and market conditions and capital funding opportunities. Housing affordability will be ensured through long-term housing agreements.

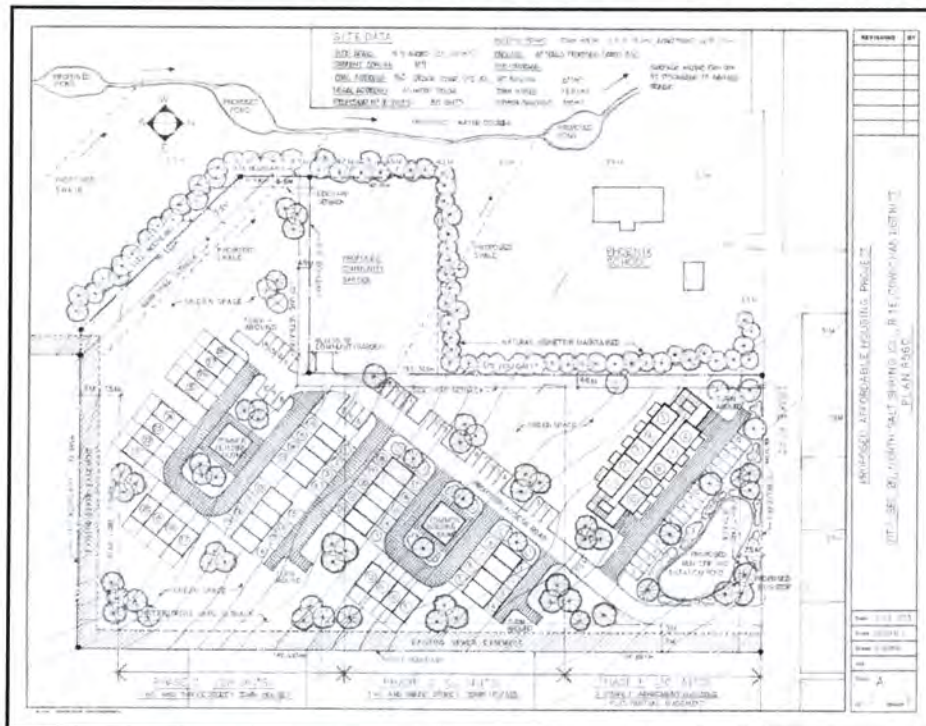


Figure 1 DRAFT Conceptual site design by D. Gunn July 2013

Appendix 1 contains the applicant's submission. The submission includes a report outlining the proposal and includes an extensive list of technical reports and other material noted throughout this report including:

- Preliminary Drainage Plan
- Phase I Environmental Site Assessment
- Site Plan
- Transitions Salt Spring's Community Energy Group letter of interest
- North Salt Spring Waterworks water availability letter
- Ganges Sewer Commission sewerage capacity availability letter, CRD Engineering requirements for sewerage connection; Applicant Report submitted by Stantec Consulting Ltd, dated December 2, 2013 to meet CRD requirements
- Changes in Housing Supply 2009-2013
- Homeowner Housing Supply July 2013
- Rental Housing Supply July 2013

SITE CONTEXT

The subject location is a 5.5 acre vacant lot located at 161 Drake Road (Figure 2). The lot was subdivided from the adjacent Phoenix School site owned by School District 64, in 2012. The Ministry of Education approved the subdivision on condition of the transfer of land to the CRD's Land Banking Services for the purposes of developing affordable housing.

The site is located on the edge of downtown Ganges and within walking distance of schools, shopping, and most services. Immediately surrounding properties include Mouat Park to the north-west, Phoenix School to the west, vacant residential land to the south, and Our Lady of Grace Catholic Church to the east. Residential lots are to the north and north east. Several nearby properties are within the Agricultural Land Reserve including significant portions of Mouat's Park and properties to the south-east.

The lot slopes steadily from south to north (from Mt. Belcher to Ganges) towards Drake Road with drainage leading to Ganges Creek. The site has varied vegetation including western red cedar, maple trees, a mix of indigenous and invasive shrubs, and other. A sewer line is buried beneath a park trail maintained by the CRD along the eastern and southern boundaries of the property. The path is part of the Ganges Pathway systems as shown in Official Community Plan map 17 and forms part of a network of trails connecting pedestrians from downtown Ganges to Cudmore Height Park in the Bishops Walk development and eventually to Wilkie Way.



Figure 2 161 Drake Road outlined in yellow, green shaded areas are lots in the Agricultural Land Reserve

CURRENT PLANNING STATUS OF SUBJECT LANDS

Trust Policy Statement

Staff will submit a Policy Directives checklist for LTC consideration at time of considering first reading for a draft bylaw.

Official Community Plan

The subject lot is designated as part of the Ganges Village Core in the Official Community Plan map 1 (Figure 3). OCP objectives and policies are either generally supportive or very supportive of the proposal. OCP policies that may limit the proposal require the applicant to demonstrate to the LTC that community water and sewer provider requirements are met. It may be feasible to structure a zoning bylaw that permits units over time as servicing requirements are met. For a complete list of applicable OCP objectives and policies see Appendix 2.

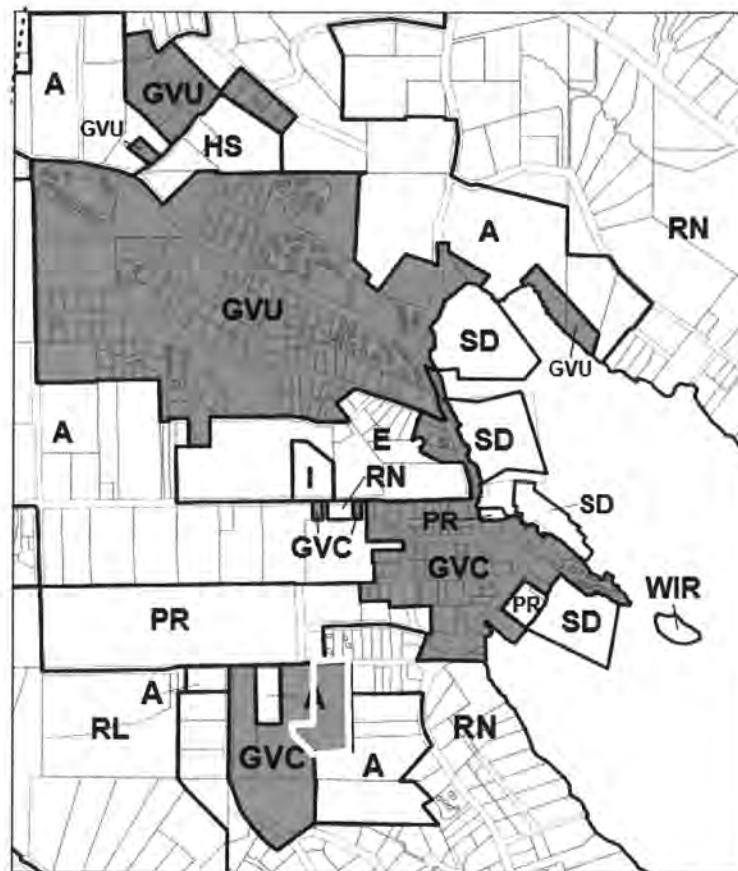


Figure 3 The subject property, outlined in white, is within the Ganges Village Core (GVC)

Below is a brief discussion on the policies most relevant to the application or those that need to be addressed:

B.2.2.2: Affordable, rental and special needs housing, multi-family dwelling policy

B.2.2.2.18 Preference should be given to rezoning applications for multiple-unit affordable housing projects that:

- a. are based on the housing needs of existing residents and are not meant to be mainly marketed to off-island residents.

- b. would provide owned or rental housing, possibly through non-traditional means such as co-housing, cooperative ownership, sweat equity projects or land trusts.
- c. would create durable, and water and energy efficient housing.
- d. provide walking, transit or cycling links to village services.
- e. provide safe walking, transit, or cycling links to a school, if the project is designed for families.
- f. include appropriate site and building designs, such as those outlined in Development Permit Area 1.
- g. that are in or near island villages, except where the affordable housing would be linked to and support farming.

Staff comment: The applicant has provided an exhaustive rationale for affordable housing as a result of community consultation and planning over the last seven years. The application provides strong evidence of need and has adapted the application accordingly (Appendix 1).

An affordable housing agreement with an appropriate agency is critical to the future processing of this application. A Housing Agreement is implemented via an administrative bylaw. Adoption of a Housing Agreement bylaw would be a condition of zoning approval. Therefore, a draft Housing Agreement should be submitted as soon as possible with consideration of a Housing Agreement bylaw before second reading of a rezoning bylaw and before a Public Hearing. Staff note that inclusion of the CRD Housing Secretariat in the steering committee of the project adds some certainty to the inclusion of a Housing Agreement as does the acceptance of the CRD to receive the subject property from the School District based on condition of providing affordable housing.

B.5.1.2 General Village Land Use Policies

- B.5.1.2.2 Zoning in Village Designations will continue to allow the mix of commercial, institutional, cultural, and multi-family land uses that are currently allowed. The maximum residential density allowed on any single property will remain at 37 units per ha. However, where a multifamily development is comprised of special needs housing or affordable seniors' supportive housing, the density of development may exceed 37 units per ha, provided it does not exceed a floor space ratio of 0.6, a site coverage of 33 percent, a maximum of two storeys and a maximum of 50 units in any one development.

Staff comment: Proposed density is 37 units/ha.

B.5.2.2 Ganges Village Designation Policies

- B.5.2.2.6 When considering rezoning applications in the Ganges Village designation, the Local Trust Committee will consider the impact that the proposed change would have on the Ganges sewer treatment plant. The Local Trust Committee should obtain confirmation from the Capital Regional District of sewage system capacity for any change to zoning within the boundaries of the sewer area that may result in a significant change in sewage volume or quality. This policy is further outlined in Section C.4.2.

Staff comment: The "Stantec Sewer Review" dated December 2, 2013 (Appendix 1) suggests that the proposal may add to the need for upgrades to the Ganges sewerage system especially for relevant influent and effluent pumps. As well, the "Drake Road Pre-Development Stage 1 Site and Concept Report" dated June 30, 2008 (Appendix 1) notes that installation of the sanitary sewer in 2007 along the eastern boundary of the subject lot led to diversion of drainage which in turn "caused flooding of Drake Road, infiltrated the

sewer, and impacted Ganges sewer treatment.” The report suggests that “the problem needs to be solved by the relevant agencies.”

The applicant has also submitted a preliminary stormwater plan. The Stormwater Plan dated May 7, 2008, by Grange Engineering Associates Ltd. The Stormwater Plan will require updating to reflect the current proposal. However, the Stormwater Plan will be required when the applicant applies for a Development Permit and therefore need not be a condition of approval for rezoning. The Stormwater Plan may require addendums as the project moves through the various development phases to meet Development Permit amendment requirements.

The applicant has already been working proactively with the CRD to meet requirements as evidenced in the addendums to the application. At time of drafting this report the Stantec Sewer Review” dated December 2, 2013 is being reviewed by CRD engineering staff after which it will be referred to the Ganges Sewer Commission. Confirmation from the CRD that the proposal meets CRD requirements should be attained before second reading of a bylaw, before Public Hearing.

- B.5.2.2.9 The Local Trust Committee may consider changing zoning to permit some 3-storey buildings in areas away from the shoreline, the Ganges Village Core and established view corridors.

Staff comment: The applicant is proposing some 3 storey buildings away from the shoreline, on the outskirts of the Ganges Village core and away from established view corridors.

B.6.2.2 Agriculture Land Use Policies

- B.6.2.2.18 When it considers rezoning applications for land that borders or drains into agricultural land, the Local Trust Committee will ensure that zoning changes are not made in a way that would have a negative effect on farming. For example, the Committee could require that a vegetation buffer be maintained on land that is being rezoned next to farm land, if the proposed use could result in conflicts with a farming operation. The Committee should also ensure that a zoning change would not result in detrimental changes to natural drainage or pollution of water supplies. The Agricultural Advisory Committee will be asked for advice about rezoning applications on land that borders or drains into agricultural land.

Staff comment: The proposal borders, but does not drain into agriculture land. The Ministry of Agriculture’s Guide to Edge Planning dated June 2009 recommends a total minimum separation distance of 30m (15m of which is a 6m tall vegetative buffer) between housing units and ALR boundary to most effectively mitigate the impact of urban and farming activities. The Agricultural Advisory Committee and Ministry of Agriculture staff will be asked for advice about the rezoning application. A vegetated buffer may be included within a zoning bylaw.

C.2 Transportation Servicing Objectives

- C.2.1.1.4 To carefully consider the impacts of additional traffic and increased traffic flow when development choices are being made.

Staff comment: The applicant's submission states that the applicant has had initial discussions with the Ministry of Transportation and Infrastructure to assess traffic concerns. No significant concerns were identified “with the possible exception of the creation of a key-lock left-hand turn land onto Drake Road” from Fulford-Ganges Road. The applicant recognizes there may be a need for “an engineering analysis and recommendation” report. The applicant has also submitted that the project team is exploring a potential pilot project with Transitions Salt Spring’s Community Energy Group which may include electric vehicle charging stations, and/or a car share program. Staff recommend early referral to the

C.2.3 Automobile and Bicycle Parking Objective

C.2.3.1.3 To minimize the land area devoted to automobile parking,

Staff comment: The applicant has proposed to develop only 40% of the required parking with the rationale being that low income housing may equate with less car ownership, there is access to transportation alternatives, and the subject property is in close proximity to amenities and schools. While the above objective recommends reduced parking, no associated policies are given. Staff recommend the applicant provide evidence based rationale to support the significant decrease in required parking.

C.3.2 Community Water Systems Objectives and Policies

C.3.2.1.3 To ensure that zoning changes in the North Salt Spring Waterworks District do not result in such a level of development that water cannot be supplied to needed public facilities or would not be available for firefighting purposes. In particular, to ensure that water remains available for hospital and school expansion, and affordable housing.

Staff comment: The North Salt Spring Waterworks (NSSWD) letter dated May 14, 2013 states that the District will provide water service when all applicable charges and fees are paid including possible extensive improvements to the distribution system. Staff followed up with NSSWD Feb 12, 2013 to discuss intent of letter ensuring that all District current and future needs are met without compromise.

C.3.2.2.1 When the Local Trust Committee receives rezoning applications for land inside the boundaries of a community water system, it will refer the application to the operators of the affected system. They will be asked if water could be supplied to the proposed new development, considering the needs of their existing customers and the provision of water for firefighting, and any properties already zoned for further development. When it considers zoning changes within a community water system, the Local Trust Committee will also consider the amount and percentage of any remaining supply capacity that would be used by the proposed new use. The Committee will not make zoning changes within a community water system if the change would mean water could not be supplied (under the existing license) to existing customers. It should not normally make zoning changes if the change would mean water could not also be supplied to vacant or under-developed properties already zoned for further development. Should such zoning changes be proposed, the applicant could be encouraged to suggest other water supplies so that the application could be considered. Examples are rainwater catchment, groundwater use or a water conservation program.

The Local Trust Committee could make an exception to the above policy within the North Salt Spring Waterworks District to allow community facilities or affordable housing projects to proceed. However such changes should only be made if the Committee is satisfied that the District is likely to receive a sufficiently larger water license.

Staff comment: The North Salt Spring Waterworks (NSSWD) letter dated May 14, 2013 states that the District will provide water service when all applicable charges and fees are paid including possible extensive improvements to the distribution system. Staff followed up with NSSWD Feb 12, 2013 to discuss intent of letter ensuring that all District current and future needs are met without compromise. Confirmation from the NSSWD that the proposal meets NSSWD considerations should be attained before second reading of a bylaw, before Public Hearing.

- C.3.2.2.6 The Local Trust Committee will continue to encourage water conservation through guidelines for xeriscape landscaping of commercial, industrial and multi-family developments in island villages.

Staff comment: the applicant proposes that the project will implement a number of water saving features, including metering, rainwater and grey water re-use for irrigation wherever practical, flow control devices, water saving devices, drought resistant landscaping, and efficient irrigation.

C.4 Liquid Waste Management Policy

- C.4.2.2.4 When the Local Trust Committee receives rezoning applications that apply to land within the Ganges Sewer Local Service Area... it shall refer the application to the Capital Regional District. The CRD will advise of any requirements or conditions of servicing applicable at the time.

Staff comment: The "Stantec Sewer Review" dated December 2, 2013 (Appendix 1) suggests that the proposal may add to the need for upgrades to the Ganges sewerage system especially for relevant influent and effluent pumps. As well, the "Drake Road Pre-Development Stage 1 Site and Concept Report" dated June 30, 2008 (Appendix 1) notes that installation of the sanitary sewer in 2007 along the eastern boundary of the subject lot led to diversion of drainage which in turn "caused flooding of Drake Road, infiltrated the sewer, and impacted Ganges sewer treatment." The report suggests that "the problem needs to be solved by the relevant agencies."

The applicant has already been working proactively with the CRD to meet requirements as evidenced in the addendums to the application. At time of drafting this report the Stantec Sewer Review" dated December 2, 2013 is being reviewed by CRD engineering staff after which it will be referred to the Ganges Sewer Commission. Confirmation from the CRD that the proposal meets CRD requirements should be attained before second reading of a bylaw, before Public Hearing.

Land Use / Zoning Bylaw

Current zoning for the subject property is Residential 9 (R9). R9 permits three dwelling units or approximately 1.6 dwelling units per hectare. The proposal is to change the zoning from R9 to a variant of R1 which would increase the permitted density to 37 units per hectare (Figure 4). This is the maximum density recommended within the Official Community Plan and permitted within the Land Use Bylaw.

uses such as child care provision. Further discussion with the applicant will be required to consider all desired uses.

The applicant proposes 40 parking stalls (0.5 stalls /unit) versus the 100 parking stalls (1.25 stalls/unit) currently required in the land use bylaw. The land use bylaw requires that 8 parking stalls be designated for use by the disabled and the provision of at least 5 bicycle parking spaces. OCP policy C.2.3.1.3 supports reduced land for parking but does not consider the significant proposed reduction in the proposal. Conditions for approval for the reduction in parking stalls may include the applicant provide evidence based research to support the proposal and ongoing confirmation of partnerships with local groups providing transportation alternatives.

Islands Trust Fund:

The subject property is not adjacent to an Islands Trust Fund property or lots with Islands Trust Fund covenants.

Sensitive Ecosystems and Hazard Areas:

The subject property does not have identified sensitive ecosystems within the Islands Trust Ecosystem Mapping database. There is a significant amount of water moving down the site, draining south to north into drainage along Drake Road and eventually into Ganges Creek. The applicant has submitted a drainage plan and Environmental Site Assessment. Drainage is generally to be managed in partnership with the neighbouring School District lot.

Riparian Areas Regulation:

The site is subject to the Riparian Areas Regulation (RAR). A local government may not approve or allow development (physical alterations or subdivision) to proceed unless notified by the province of British Columbia that the RAR requirements have been met. Generally, the applicant must provide a RAR Assessment Report to the ministry which includes protection measures for the riparian areas. These protective measures could be included within the rezoning or the development permit and must be included at time of subdivision.

Archeological Sites:

Based on the data provided by the Provincial Remote Access to Archaeological Data, there are no known archaeological sites or "areas of significant potential to contain unknown but protected archaeological sites on the subject property". This application would be referred to First Nations stakeholders if it proposed an amendment to the Official Community Plan.

Bylaw Enforcement:

There are no open Islands Trust bylaw enforcement files on the subject property.

Covenants:

There are no covenants on title. A Statutory Right of Way (pathway and sewer line) exists along the eastern and southern boundaries of the property.

Climate Change Mitigation and Adaptation:

The application includes climate change mitigation and adaptation measures such as:

- Location encouraging walking and cycling
- Proposed layout that maximizes solar gain for passive heating
- Proposed energy and water efficient building design
- Proposed cooperation with community group bringing photovoltaic electric vehicle charging stations

Neighbourhood Character:

Changes to land use are always of concern to those nearby. In this instance, there has been a history of land clearing, residential, and educational use on the site. The site has retained its approximate features since 2005. A change in the intensity of use may impact the surrounding residential neighbourhood.

RESULTS OF CIRCULATION/COMMUNITY INFORMATION MEETING(S)

The applicant held two interactive information sessions in late 2012 targeted to specific stakeholders including:

- Non-profit housing providers, and
- Phoenix School community and Drake Road neighbours.

According to the applicant, the SSI Housing Council planned and hosted the information sessions. The format was a mix of presentation, self-guided and guided tours through display materials, and an interactive site design exercise.

After presentations, participants were requested to complete a survey of their perspectives on the key elements of the plan and how it responds to housing needs in the community, and about potential impacts to the neighbourhood.

According to the applicant, feedback in both information sessions and surveys was positive, with no messaging that would suggest major changes to the basic project assumptions or direction. The only exceptions were a stronger than expected preference for rental, and an expression of need for both lower priced homeowner units and rental rates.

Based on feedback, the Steering Committee decided to increase the proposed number of units from 60 to 80 as a key strategy to introduce better affordability. The additional 20 units include 10 'tiny' homeowner units, and 10 'tiny' rental units targeted to lower income residents.

Community consultation is proposed after LTC consideration of a draft bylaw as well as the legislatively required notification process and Public Hearing.

STAFF COMMENTS

The application is for considerable change to the density on the subject property. The change will impact service providers and the surrounding neighbourhood as well as be a significant provider of affordable housing.

Servicing

Early referrals to service providers may assist the LTC by providing confirmation that the proposal meets service provider requirements and should be attained before second reading of a bylaw or before Public Hearing. The applicant is also aware of nearby undeveloped non-profit housing sites that could benefit from joint planning and/or site servicing including the Lion's Club at the corner of Drake Road and Bonnet Avenue and the Community Services Society site directly south of the Lion's Club. Staff recommends the applicant continue dialogue with these community housing groups to minimize future infrastructure upgrade requirements.

Neighbourhood

Neighbourhood issues may be drainage, traffic, and agriculture and a general change in character via increased density. Traffic, agricultural, and some drainage issues may be assessed further by early referrals to help inform drafting of a bylaw. Drainage issues may be further assessed by the applicant submitting a Riparian Areas Assessment Report to the ministry. Consideration of neighbourhood concerns may further be captured when hosting a Community Information Meeting, during the required notification process, and at time of Public Hearing.

Affordable Housing

The purpose of the application is for the provision of affordable housing. The adoption of a Housing Agreement bylaw could be a condition of zoning approval. Consideration of a Housing Agreement should be made before second reading or a Public Hearing of this rezoning application.

Finally, as the application is significant in both scope and complexity, staff feels that advice from the Advisory Planning Commission would be helpful.

NEXT STEPS

The proposal has merit in meeting affordable housing needs as expressed in the Official Community Plan and as demonstrated in the applicant's community consultations. Full build out of all phases will require some upgrade or expansion of water, sewerage, and possibly road systems. As such staff are advising that the proposed site specific bylaw may need to tie density levels to infrastructure updates. LTC should now hear from service agencies as to the requirements for upgrades and measures to coordinate permitted uses and densities to these upgrades.

Staff advise merit in early referral of the proposal so that LTC is informed of dialogue with service providers and receives early input of its advisory committees. The following resolutions implement the staff recommendations.

RECOMMENDATIONS

1. THAT the Salt Spring Island Local Trust Committee REFER application SS-RZ-2013.9 (161 Drake Road, JG Consulting Services Ltd.) to the Salt Spring Island Advisory Planning Commission, the Agricultural Advisory Planning Commission, the Capital Regional District, the Ministry of Agriculture, School District #64, Salt Spring Fire and Rescue, and the Ministry of Transportation and Infrastructure for review and comment.
2. That the Salt Spring Island Local Trust Committee DIRECT staff to request the applicant to provide evidence based rationale supporting the proposed 60% decrease in required parking (SS-RZ-2013.9, 161 Drake Road, JG Consulting Services Ltd.).
3. That the Salt Spring Island Local Trust Committee DIRECT staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355 to rezone Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District Plan EPP20136 from Residential 9 to a variant of Residential 1 in order to permit additional residential density on the subject property for affordable housing (SS-RZ-2013.9, 161 Drake Road, JG Consulting Services Ltd.).

4. That the Salt Spring Island Local Trust Committee DIRECT staff to request the applicant to submit a draft affordable housing agreement for Lot A, Section 20, North Salt Spring Island, Range 3 East, Cowichan District Plan EPP20136 (SS-RZ-2013.9, 161 Drake Road, JG Consulting Services Ltd.)..

Respectfully submitted by:

Stefan Cermak

Date

Concurred in by:

Leah Hartley

Date

Appendices

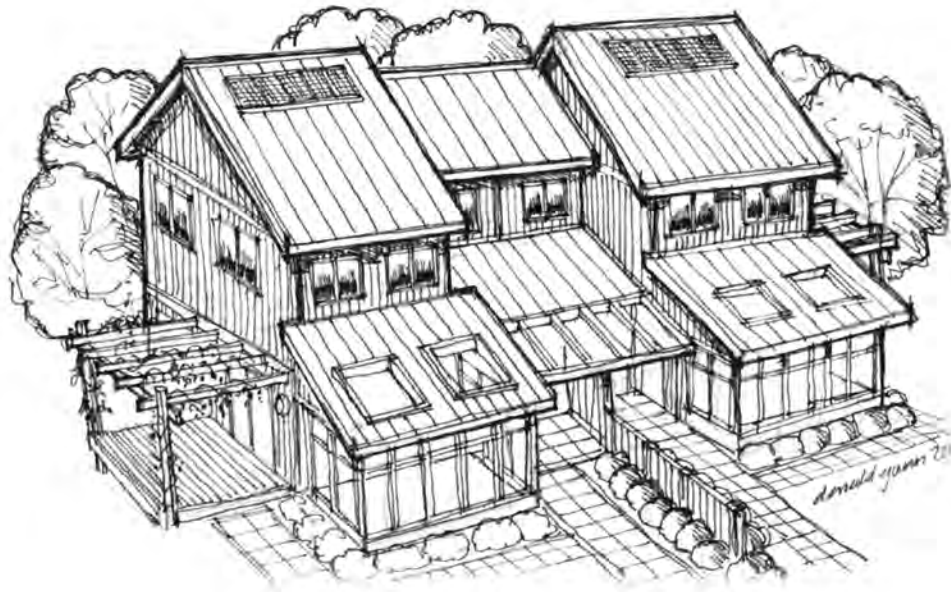
- Appendix 1: Applicant submission
- Appendix 2: OCP Extracts Relevant to the Application

DRAKE ROAD AFFORDABLE HOUSING

60-80 Units of Non-Profit Homeowner and Rental Housing

Affordable housing for low to moderate income residents

AFFORDABLE HOUSING
CONCEPTUAL SKETCH



REZONING PROPOSAL

A Collaboration of Community Partners

School District 64

Capital Regional District

August 2013

Affordable Housing is a Cornerstone of Community Sustainability and Quality of Life

DRAKE ROAD AFFORDABLE HOUSING

Rezoning Proposal

August 2013

Planning and pre-development work for this project has been made possible by generous contributions and participation from:

*School District 64
Capital Regional District
Canada Mortgage and Housing
Real Estate Foundation of BC
Salt Spring Island Housing Council Society*

The Project is directed by a Joint Steering Committee with the following members:

*Lisa Halstead, School District 64 Superintendent
Rod Pingle, School District 64 Trustee
Rod Scotvold, School District 64 Treasurer
Wayne McIntyre, CRD Director
Henry Kamphof, CRD Housing Secretariat Seniors Manager*

The Applicant:

*Janis Gauthier, JG Consulting Services Ltd.
2161 Fulford-Ganges Road
Salt Spring Island, BC V8K 1Z7
Phone 250-653-0041
Fax 866-878-4916 (toll free)
E-mail janisgauthier@shaw.ca
Skype janisgauthier*

We wish to thank the many members of the community who contributed their time to describe housing needs on Salt Spring and to make many excellent suggestions on how to address those needs.

A special thanks is extended to Jeff Hopkins, former School District Superintendent, whose vision and perseverance led this project to where it is today.

Drake Road Affordable Housing Rezoning Proposal

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119-150 Ashya Road

Salt Spring Island Transportation Commission
Agenda May 20 2014
Item 6.7

Memo

CRD

TO: Bob Lapham, Chief Administrative Officer
Larisa Hutcheson, General Manager Parks, Environmental Services
Ted Robbins, General Manager Integrated Water Services
Diana Lokken, General Manager Finance and Technology
Travis Whiting, Acting General Manager of Planning and Protective Services
Maurice Rachwalski, Acting General Manager of Planning and Protective

Services

FROM: Jessica Arnet
Property Systems Officer.

DATE: April 15, 2014

FILE: REP2014-00120

SUBJECT: Islands Trust – Referral SS-RZ-2013.3 OCP and Rezoning Amendment

Please be advised that the Islands Trust has requested the CRD to comment on the attached referral. Please review the application carefully before providing your response. Also, please see the attached map for the location of the subject property as well as flagged locations of known CRD land interests.

Our response deadline is Thursday May 8th therefore we please ask that you have your responses back to us by **Monday May 5th, 2014**. This will allow for sufficient time for questions and to review and coordinate responses that we will send to the Islands Trust on your behalf. Should you require a time extension to prepare your response, please let me know how long you need and I will make every effort to meet you timeline.

For more information on the referral, please refer to the attached copy of the application. If you have any questions or concerns specific to the application, please contact the writer of this memo at jarnet@crd.bc.ca or ext. 3173. All correspondence and communication with the Islands Trust should go through the Real Estate & Property division.

Best Regards,

Jessica Arnet.

Attachment(s): 2

JA:JA

CC: Treace Alton, Executive Assistant
Cathy Leahy, Senior Administrative Secretary

Memo

The logo for the Canadian Revenue Department (CRD) is located in the top right corner of the header. It consists of the letters "CRD" in a stylized, bold, sans-serif font, set against a dark, wavy background that resembles a stylized wave or a ribbon.

Margaret Montague, Executive Assistant
Stacey Bligh, Senior Administrative Secretary
Teresa Taylor, Senior Administrative Secretary



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: N/A Date: April 10, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information, a Public Hearing to consider the Bylaw will be held once the proposal is advanced through the bylaw approval process.

APPLICANTS NAME / ADDRESS:

Robyn Kelln
22 - 3088 Francis Street
Richmond, BC
V7C 5V9

PURPOSE OF BYLAW:

The applicant proposes to amend the Official Community Plan designation of the subject property from Forestry to Rural Neighbourhood and rezone the 9 lot strata property from Forestry variant (F1(a)) to a Rural zone variant (R(n)). The proposed amendments would permit a secondary suite in each lots principle dwelling unit and permit year round occupancy of a cottage on 5 of the lots condition to registration of a Housing Agreement for affordable housing. For clarity, the remaining 4 lots would continue to be permitted a seasonal cottage which only permits temporary occupancy totalling 45 days a year. In summary, the applicant is proposing increased density on 9 lots, some in the form of affordable housing.

GENERAL LOCATION:

119-150 Ashya Road, Salt Spring Island

LEGAL DESCRIPTION:

Strata Lots 1-9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778

SIZE OF PROPERTY AFFECTED:

18 ha

ALR STATUS:

Common Property:
approximately 3 ha.

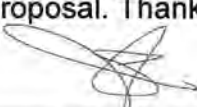
OFFICIAL COMMUNITY PLAN DESIGNATION:

Forestry

OTHER INFORMATION:

A Staff Report is attached which includes the proposed bylaws in the appendices.

Please fill out the Response Summary on page 3 of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this proposal. Thank You.


(Signature)

Name: Stefan Cermak

Title: Planner 2, Islands Trust, Salt Spring Island

This referral has been sent to the following agencies:

First Nations

Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Hul'qumi'num Treaty Group (for information only)
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - Te'Mexw Treaty Association
Pauquachin First Nation
Penelakut Tribe
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Gabriola Island Local Trust Committee for Valdes Island
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee for Kuper Island

Cowichan Valley Regional District
Municipality of North Cowichan

Federal Agencies

N/A

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority
Ministry of Agriculture
Ministry of Forests, Lands and Natural Resource Operations
Ministry of Transportation & Infrastructure

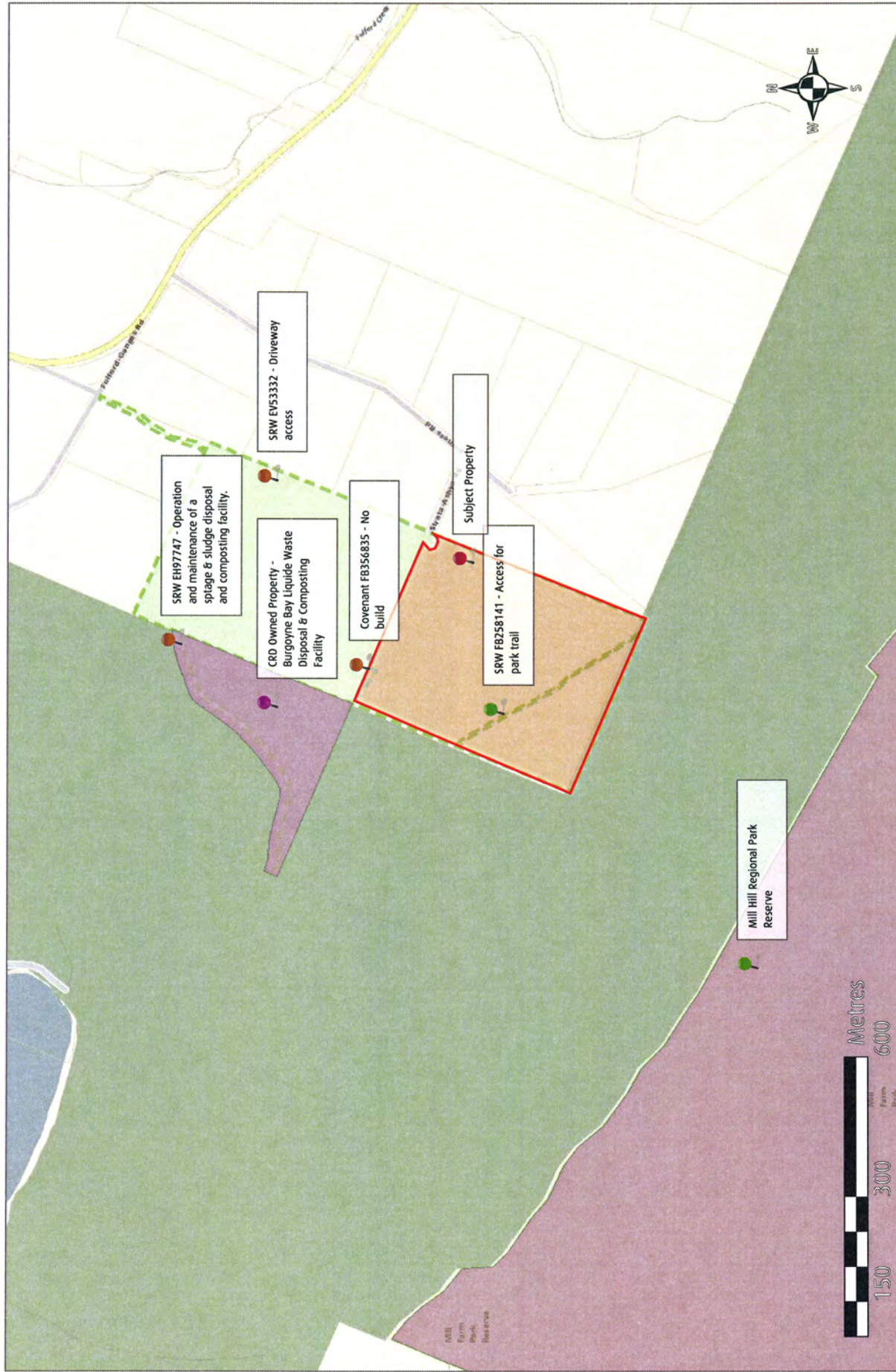
Regional Agencies

Capital Regional District
CRD Building Inspection
CRD Engineering Services
CRD Regional Parks
CVRD Building Inspection

Vancouver Island Health Authority

Non-Agency Referrals

BC Ambulance Service
RCMP
SSI Fire-Rescue



Important

This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any loss or damage, including consequential, special, or exemplary damages, arising from the use of this map. The CRD will not be liable for any information on the map and the map may be changed by the CRD at any time.

Printed Tue, Apr 15, 2014

CRD Interests

Salt Spring Islands SS-RZ-2013.3

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>

CRD
Building a Better Future

Date: February 18, 2014

File No.: SS-RZ-2013.3

To: Salt Spring Island Local Trust Committee for February 27, 2014 Meeting

From: Stefan Cermak, Planner 2, Local Planning Services

Re: Application to Amend the Official Community Plan and Land Use Bylaw

Owner: Sebring Homes Inc, Nikolaos Karvouniaris, Ashya Properties Ltd, Jamie J Colligan, 0952482 B C Ltd, 0946435 BC Ltd.

Applicant: Robyn Kelln (previously Eric Booth)

Location: 119-150 Ashya Road

Legal: Strata Lots 1-9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778

Preliminary Report:

☐

Interim Report (#3):

☒

Final Report:

☐

THE PROPOSAL

The applicant proposes to amend the Official Community Plan designation and zoning on the subject properties in order to permit affordable housing units. Each of the nine strata lots currently permits a single family dwelling and a seasonal cottage. This application would allow those seasonal cottages to be used year round as permanent residences and would permit secondary suites in the single family dwellings.

The applicant has proposed that a restrictive covenant could accomplish some affordable housing objectives in light of the expected timeframe for negotiating a housing agreement with the Capital Region Housing Commission.

A summary of staff response to the proposal is that the proposed covenant does not accomplish affordable housing objectives and policies, nor does it meet policy standards of enforceability and protection of Islands Trust interest in the matter. Other solutions to ensuring the affordability of additional dwelling units are recommended.



Figure 1: Subject Properties with Orthophoto, Zoning, and ALR Designation

BACKGROUND

This staff report supplements Staff Reports dated: August 13, 2013 and October 16, 2013.

At the August 22, 2013 Local Trust Committee regular business meeting the LTC referred the application to the Advisory Planning Commission (APC) for consideration. At the September 19, 2013 Advisory Planning Commission meeting, the APC recommended to the Local Trust Committee that it proceed no further with application SS-RZ-2013.3 due to various concerns. On September 24, 2013, the applicant proposed a different approach to ensuring some affordable housing aspects of the residential development. The applicant proposed placing a restrictive covenant on title that might accomplish some of the objectives of the affordable housing policies in the Official Community Plan (OCP).

At the October 24, 2013 Local Trust Committee regular business meeting, the LTC considered the applicant's revised proposal and passed the following resolutions:

SSI-246-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Official Community Plan No. 434 to redesignate Strata Lots 1-9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778 from Forestry and Agriculture to Rural Neighborhoods in order to permit increased residential density for affordable housing (SS-RZ-2013.3, 119-150 Ashya Road, Booth).

CARRIED

SSI-247-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to prepare a draft bylaw to amend Salt Spring Island Land Use Bylaw No. 355 to rezone Strata Lots 1-9, section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778 from Forestry 1(a) to Rural (n) in order to permit additional residential density on the subject properties for affordable housing (SS-RZ-2013.3, 119-150 Ashya Road, Booth). CARRIED

SSI-248-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to enter into a cost recovery agreement with the applicant of application SS-RZ-2013.3 pursuant to Trust Council policy and the Salt Spring Island planning application fees bylaw to request Islands Trust legal counsel review of the draft covenant submitted October 10, 2013 (119-150 Ashya Road, Booth). CARRIED

SSI-249-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee direct staff to, pending an approved cost recovery agreement, administer a legal services request for review of the draft covenant submitted October 10, 2013 regarding SS-RZ-2013.3 (119-150 Ashya Road, Booth). CARRIED

Use of a Covenant to Meet Some Affordable Housing Policies

On September 24, 2013 the applicant proposed using a covenant as an approach to meet some affordable housing policies in order to advance the residential development. The LTC directed staff to enter into a cost recovery agreement for a legal review of the covenant. Staff followed LTC direction

according to Islands Trust Policy and Procedure Manual policy 5.3.i, section E.1.2, which requires planning staff to provide instructions to legal counsel to ensure that draft covenants are enforceable and that they protect the Local Trust Committee's interest in the matter.

After review of the covenant, it is staff's opinion that the restriction of use of a building or the land for affordable housing is not an enforceable use under section 219 of the Land Title Act and therefore does not protect the LTC's affordable housing interest in the matter. Most clauses in the covenant are either redundant, unrelated to the application, or may be better captured in a zoning bylaw. The few specific clauses related to affordability are unenforceable. On January 30, 2014, the agent wrote a correspondence to two trustees informing them that he had found a lawyer who suggests the clauses could be amended "to produce an enforceable clause." Communications are included in Appendix 4. Regardless; staff do not recommend that the LTC pursue the covenant as a means of implementing Official Community Plan (OCP) affordable housing objectives and policies. Rather, staff recommend a housing agreement as per Local Government Act s. 905.

Draft Bylaw

As per LTC direction, staff has drafted bylaws to amend the OCP and Land Use Bylaw "in order to permit increased residential density for affordable housing" (Appendix 2). An example of wording for a draft bylaw is as follows:

"Zone Variation – R (n)

Despite Schedule "I" to Bylaw 355, *secondary suites* are permitted as *affordable housing dwelling units*.

A seasonal cottage may be occupied as an *affordable housing dwelling unit*.

In the Land Use Bylaw *affordable housing dwelling unit* means "a deed restricted and/or a rent controlled *dwelling unit* that is secured by a housing agreement registered on title, and may include *special needs housing* and *seniors dwelling units*." However, as discussed below, the example given was amended based on further analysis of the Islands trust Policy Statement, the Official Community Plan, and on discussion with the applicant.

CURRENT PLANNING STATUS OF SUBJECT LANDS

Trust Policy Statement

Islands Trust Policy D.1.3.i "Policy Statement Implementation" states that "Under Section 15(4) of the Islands Trust Act a bylaw submitted to the Executive Committee by a local trust committee... must not be approved the Executive Committee, or Trust Council, if it is contrary to or at variance with the Islands Trust Policy Statement."

The proposal is non-compliant with Trust Policy Statement directive 5.2.5. The proposal may also be at variance with other Islands Trust policy directives although, after discussion with the applicant, it is feasible that these variances may be subjective or feasibly addressed. A Policy Statement Directive Checklist is included in Appendix 3. Below is a brief discussion on how the bylaw may be inconsistent or at variance with the Policy Statement:

Density Inconsistency

The original zoning application proposes density increase in an unsuitable area which is not in compliance with policy directive 5.2.5.: "Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans."

The density limit for Rural Neighbourhoods (if approved) is given in OCP policy B.2.5.2.3 which states:

"... New zones created in this Designation will not generally have a density that exceeds 1 lot per 2 ha. However, the Local Trust Committee could make an exception by allowing a density of 1 lot per 1.2 ha as part of a proposal that provided an eligible community amenity...or as part of a proposal to transfer development potential."

As mentioned in previous staff reports, the subject properties are designated density donor areas, not designated receiving areas as per map 26 of the Official Community Plan. Regardless, the average lot area is 2 ha if including the southern common property (the northern common property is zoned Agriculture, is included in the Agricultural Land Reserve, and has not been included by the applicant in the rezoning application). The applicant's proposal is for 18 additional dwelling units or 1 unit per 0.66 ha (Table 1). As per Trust Policy Statement 5.2.5 and OCP Policy B.2.5.2.3 the proposal should not be made for more than 5 additional dwelling units to keep within density limits and only if an eligible community amenity is provided. Affordable Housing is a community amenity; however, the application has not followed the guidelines for amenity zoning as found in Appendix 3 of the Official Community Plan.

Table 1 Density Limits for Subject Property in Rural Residential Designation

Trust Policy Statement 5.2.5 and OCP Policy B.2.5.2.3	Dwelling units (unit) / hectare (ha)
Maximum Rural Neighbourhood Density	1 unit / 2 ha
Exception with community amenity	1 unit / 1.2 ha
Subject Lots and Proposal	
Current Density	1 unit / 2 ha
Proposed density (9 dwelling units, 9 cottages, 9 secondary suites)	1 unit / 0.66 ha
Maximum additional density with community amenity (5 additional dwelling units)	1 unit / 1.26 ha

Other Variances

The application may have variances to earlier approvals which may require redress through the bylaw approval process. If the application is to proceed, staff recommend the LTC direct staff to advise the applicant to consider providing evidence of addressing the variances as discussed in the issues section below.

Official Community Plan

The proposal is to change the OCP Land Use Designation from Forestry to Rural Neighbourhood. As will be discussed later, the OCP amendment also proposes permitting secondary suites in Rural

Neighbourhoods despite density restrictions. The draft OCP amendment bylaw is included in Appendix 1.

The preliminary staff report dated August 13, 2013 provided a brief analysis of OCP objectives and policies and concluded that "increased density should be located away from environmentally sensitive or resource lands and natural hazard areas." There are no mapped environmentally sensitive areas on the subject properties and the proposal is to remove the resource land designation. The application may accommodate further revisions to fulfill OCP policies energy and water efficient designs. Implementation of energy and water efficient designs could be made conditional of zoning approval and implemented via a covenant, building scheme, or within a housing agreement.

Land Use Bylaw

The preliminary staff report dated August 13, 2013 provided a focused analysis of Land Use Bylaw regulations. To briefly summarize:

The subject properties are zoned F1 (a). The existing zone variation allows density similar to Rural zoning and greater than otherwise permitted in Forestry zones by specifying that the minimum average area of lots that may be created through subdivision is 2 ha, and the minimum area of an individual lot may be 0.6 ha, provided there is an individual on-site sewage treatment system per lot and an adequate supply of potable water.

The applicant proposes a "Rural Zone Variant" that would capture the current parcel sizes and would permit secondary suites in the single family dwellings and year round residential use of the seasonal cottages, both subject to affordable housing agreements. The applicant has not proposed to change other elements of the Land Use Bylaw like siting or parking requirements. The draft land use bylaw amendment is included in Appendix 2.

Issues

In the preliminary staff report dated August 13, 2013, staff identified servicing including development in a hazardous area, and affordable housing as issues. The applicant has provided several technical studies addressing some of these issues. Below is a summary of the technical service reports the applicant provided and is followed by potential LTC actions.

Geotechnical

Report by Brimwell Engineering Ltd, dated Sept 17, 2013 (revised Sept. 20, 2013). The report identifies that the switchback driveway **does not** meet driveway standards: "The long driveway accessing the upper lots is negotiable by car but needs work to bring it up to CRD standards. This is particularly so at the switchbacks which require wider turning radii for emergency vehicle access along with scaling and/or retention of cut slopes." The report also recommends that "subgrade preparation of the building sites and stabilization of the associated cut slopes be reviewed and approved by a geotechnical engineer."

The driveway was built in a mapped hazard area (unstable slopes and soil erosion). Hazards areas are regulated through Development Permit Area 6 to protect development from hazardous conditions. Generally such a driveway would not have been permitted at time of subdivision without either a Development Permit or an exemption letter provided by the applicant, signed and sealed by a

geotechnical engineer. The driveway was not in the subdivision plan (SS-SUB-2006.4) and there is no record of either a Development Permit being issued or issuance of an exemption letter.

The Salt Spring Island Local Trust Committee may consider completion of a driveway built to all applicable standards, including not obstructing the existing (Capital Regional District) statutory right of way, as a requirement for rezoning. The driveway would require geotechnical engineering approval pre and post-completion and may be subject to requiring a Development Permit for works necessary to "bring it up to standards."

The LTC may also consider a covenant be registered for the applicable lots which the report recommends subgrade preparation of the building sites and stabilization of the associated cut slopes be reviewed and approved by a geotechnical engineer. These considerations may be further elaborated after a bylaw referral process, based on comments of agencies.

Potable Water

Report by Lowen Hydrology Consulting Ltd., dated October 2007. Report updated September 4, 2013. The updated report states that the "existing wells have more than sufficient water supply capacity to support the proposed development amendment." The report assumes water demand for seasonal cottages as 680 L/d whereas the proposal is to use seasonal cottages as a residence and increase their size; therefore a more appropriate demand would be 1,600 L/d, the same as a dwelling unit. Regardless, the existing wells meet the resulting difference in demand.

The reports do not address impacts, if any, to Carley Springs which is expressed as a concern in various public correspondences attached to previous staff reports. Neighbouring properties using Carley Springs as a water source would be included in the public hearing notification and LTC could request earlier consultation.

Septic

Report by Davey Consulting and Agrolgy, dated October 27, 2020 (date error in report). Report updated September 25, 2013. The reports state that "the property has more than sufficient capacity to support the disposal of residential effluent..." for the development as proposed. Neither report specifies a proposed septic system or location for cottages or houses on the upper portion of the lots. The original report shows a community disposal system in the common property within the Agricultural Land Reserve (ALR). However, the communications to the ALC for subdivision approval neither considers the driveways across ALR land, nor the septic disposal on the ALR land.

The Agricultural Land Commission, the Ministry of Agriculture, Island Health, and the Capital Regional District should all be included in the referral process of the application.

Note that meeting OCP affordable housing policies B.2.2.2.3 (d) & B.2.2.2.18(c) for evidence of water efficient building design would reduce potential septic impacts. Securing energy and water efficient designs may be accomplished via covenant or a statutory building scheme.

Affordable Housing

Existing housing agreements on Salt Spring Island are either for lots owned and managed by a non-profit organization or managed by an approved agency. The applicant has submitted an Affordable Housing

Agreement which has yet to be analyzed in detail. Ultimately, the LTC must be confident that the housing agreement will achieve affordable housing objectives and be supported by an effective monitoring system to ensure continued affordability. At time of writing this report, neither the Islands Trust nor the agencies it may make agreements with, have the resources to manage private affordable housing agreements. Meetings with the CRD Housing Secretariat to discuss feasible options for managing private affordable housing agreements has been ongoing since 2009. It is premature to anticipate the timeframe for CRD to offer such a service.

If the application is to proceed despite the uncertainty of managing a housing agreement, staff will require direction to proceed with drafting a Housing Agreement bylaw and would recommend adoption of such a bylaw as a condition of approval for the proposed bylaw changes. A Housing Agreement bylaw is an administrative bylaw which may feasibly pass through LTC consideration together with the Land Use Bylaw. As noted in the general application, the seasonal cottages are proposed to be leased. OCP policy B.2.2.2.16 states "the LTC may consider amending the LUB to allow the use of seasonal cottages as full time affordable rental housing units in certain areas." The policy clearly recommends the cottages be for affordable rent, it does not address purchase or 99 year leases. This is further problematic as the applicant has recently confirmed selling some leases for the seasonal cottages. The same policy directs that the existing floor area limits on cottages for the subject property remain 56m².

COMMUNICATIONS

If LTC direct staff to progress with this application the draft bylaws would be referred to relevant agencies, advisory commissions, and neighbours.

The applicants communication dated January 30, 2014 advising Trustees that a lawyer could produce enforceable clauses for a covenant is included in Appendix 4.

STAFF COMMENTS:

The application could be brought into compliance with Islands Trust policy directives and Salt Spring Island OCP policies if there are no more than 5 affordable housing cottages. The applicant has agreed to refine the proposal by limiting the increased density of year-round affordable housing cottages to lots, 1, 2, 3, 4, and 6 only. This discussion is based on the assumption that cottages and secondary suites meet affordable housing objectives.

In conclusion, staff has drafted bylaw amendments to meet LTC direction and provided recommendations that may help the applicant to address the various issues. Below are options for LTC consideration whether to proceed with the application or not.

Option 1

The Salt Spring Island Local Trust Committee previously directed staff to draft bylaws to consider affordable housing for the subject properties. The attached draft bylaws follow this direction and have further been made in consideration of current and recent secondary suites policy work and further detailed policy and directive analysis. Many issues remain for the applicant to resolve but the LTC may

wish to proceed with feedback from referrals and further consideration by the applicant. Suggested wording for proceeding with the application may include the following:

1. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 476, cited as "Salt Spring Island Official Community Plan, 25008, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
2. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 477, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
3. That the Salt Spring Island Local Trust Committee direct staff to refer proposed Bylaw No. 476 and Bylaw No. 477 to public agencies and to the Advisory Planning Commission for review and comment.
4. That the Salt Spring Island Local Trust Committee direct staff to advise the applicant that conditions of approval of proposed Bylaws 476 and 477 may include, but not be limited to:
 - a) Adoption of a Housing Agreement Bylaw and the registration of a Housing Agreement on Strata Lots 1, 2, 3, 4, and 6, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - b) Registration of a covenant ensuring energy and water efficient design on Strata Lots 1 - 9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - c) Evidence of addressing variances with the Islands Trust Policy Statement as presented in the Staff Report dated February 18, 2014.
 - d) Approval of a Development Permit in Development Permit Area 6 for all works proposed.

Option 2

The Salt Spring Island Local Trust Committee may consider that conformity with Trust Policy directives is tenuous particularly in advance of having an identified agency to manage private land housing agreements. In this instance, LTC may resolve:

1. THAT the Salt Spring Island Local Trust Committee PROCEED NO FURTHER with application SS-RZ-2013.3 (Kelln, 119-150 Ashya Road).
2. THAT the Salt Spring Island Local Trust Committee DIRECT staff to partially refund the application fee for SS-RZ-2013.3 (Kelln, 119-150 Ashya Road) per Islands Trust Fees Bylaw No. 428.

RECOMMENDATIONS:

Staff recommends Option 1 as follows:

1. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 476, cited as "Salt Spring Island Official Community Plan, 25008, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
2. That the Salt Spring Island Local Trust Committee give First Reading to Bylaw No. 477, cited as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2014" (SS-RZ-2013.3, 119-150 Ashya Road).
3. That the Salt Spring Island Local Trust Committee direct staff to refer proposed Bylaw No. 476 and Bylaw No. 477 to public agencies and to the Advisory Planning Commission for review and comment.
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 - a. Adoption of a Housing Agreement Bylaw and the registration of a Housing Agreement on Strata Lots 1, 2, 3, 4, and 6, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - b. Registration of a covenant ensuring energy and water efficient design on Strata Lots 1 - 9, Section 4, Range 1, South Salt Spring Island, Cowichan District, Strata Plan VIS6778.
 - c. Evidence of addressing variances with the Islands Trust Policy Statement as presented in the Staff Report dated February 18, 2014.
 - d. Approval of a Development Permit in Development Permit Area 6 for all works proposed.

Prepared and Submitted by:

Stefan Cermak

Date

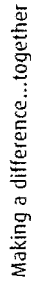
Concurred in by:

Leah Hartley

Date

APPENDICES

- Appendix 1: Draft Official Community Plan Amendment, Bylaw 476
- Appendix 2: Draft Land Use Amendment, Bylaw 477
- Appendix 3: Policy Statement Checklist
- Appendix 4: Communications



Meeting on Tuesday, May 20, 2014 at 4:00 PM

Correspondence/information Summary

[illegible]

Tracey Shaver

From: Donald McLennan <m
Sent: Thursday, May 15, 2014 9:36 AM
To: David Borrowman
Cc: Karla Campbell; Tracey Shaver; Robin Williams
Subject: Re: Merchants' Mews delegation request

Dear David

Thank you for this delegation request.

It is late in the day for the next SSITC meeting on May 20.

The following meeting is on June 17 at 4pm at Portlock Park. Please let me know if that date would suit you.

Donald McLennan, Chair
Salt Spring Island Transportation Commission
145 Vesuvius Bay Road
Salt Spring Island, BC V8K 1K3
e-mail: donald@ssitc.ca
tel: 250.734.1007

On 2014-05-15, at 9:12 AM, David Borrowman wrote:

Donald,

I am writing to you in your capacity as chairman of the Transportation Commission.

I have been appointed by the Merchants' Mews strata Council act on behalf of the owners in the matter of rezoning the property. Our application has been accepted by the Islands Trust.

I would be grateful to approach the Commission as a matter of information. While the Commission will in due course receive a formal referral from the Trust, I would like to make members aware of the proposal in a preliminary fashion. My presentation would be brief, perhaps five minutes.

We are anticipating, and indeed the Trust has already given notice, that a public pathway will likely be a condition of rezoning. It is for this reason that I would like to apprise the Commission of our rezoning application, and to present our preliminary views on achieving the pathway.

Thank you for your attention to this matter.

David Borrowman

From: "Cooper, Adam" <Adam_Cooper@BCTransit.Com>
Date: May 6, 2014 2:58:10 PM PDT
Cc: "Moore, Myrna" <Myrna_Moore@BCTransit.Com>, "Wegwitz, Tania" <Tania_Wegwitz@bctransit.com>, "r" <mclennandj@shaw.ca>, "kcampbell@crd.bc.ca" <kcampbell@crd.bc.ca>, "Ineke de Jong / Saltspring Transit (

Subject: Thank You!

Dear Salt Spring Island Stakeholders,
I'm writing today on behalf of BC Transit, the Capital Regional District, the Salt Spring Island Transportation Commission and your local transit operator; Ganges Faerie Minishuttle, to express our sincere gratitude for your participation in last week's Key Stakeholder Workshop. I know it is not easy to find the time to attend an event like this - particularly on such a sunny and beautiful Salt Spring day! However, without your input the process and outcomes we are developing would be incomplete, and would fail to reflect the interests of the Salt Spring Island residents BC Transit serves. So once again, thank you for your time, your great ideas and your enthusiasm for Salt Spring Island Transit. We could not do this without you, and we look forward to working with you again as we complete the Service Review process on Salt Spring.

With warm regards,

Adam Cooper MCIP, RPP
Senior Transit Planner

520 Gorge Rd East
Victoria, BC V8T 2W6
Phone: 250-995-5675
Cell: 250-415-7940
Email: adam_cooper@bctransit.com



Please consider the environment before printing this email

From: "Burton, Meribeth" <Meribeth_Burton@BCTransit.Com>
Date: May 6, 2014 1:26:15 PM PDT
To: "sstransit@telus.net" <sstransit@telus.net>, "Donald McLennan" <r a>, "Andy Orr <aorr@crd.bc.ca> (aorr@crd.bc.ca)" <aorr@crd.bc.ca>, "kate.trotter@gov.bc.ca" <kate.trotter@gov.bc.ca>, "robert.adam@gov.bc.ca" <robert.adam@gov.bc.ca>
Cc: "Moore, Myrna" <Myrna_Moore@BCTransit.Com>, "Nordstrom, Errol" <Errol_Nordstrom@BCTransit.Com>, "Cooper, Adam" <Adam_Cooper@BCTransit.Com>, "Sheehan, Maureen" <Maureen_Sheehan@BCTransit.Com>, "Barry, John" <John_Barry@BCTransit.Com>
Subject: **FW: International bus**

Hi all,

Media inquiry from the Driftwood (Sean McIntyre) this afternoon about BC Transit's plans to replace the 3 of 4 Ford Polars.

Key messages:

Ford no longer makes Polar diesel buses

Arboc is too small to serve SSI especially the capacity ferry runs

We will test the maneuverability and functionality of an International bus (28 passenger seat) bus later this month

BC Transit is looking to "right size the fleet" for this growing transit system

Meribeth Burton
Corporate Spokesperson
BC Transit

250.995.5720 (o)
250.507.8145 (m)

From: Burton, Meribeth **Sent:** Tuesday, May 06, 2014 1:21 PM **To:** 'smcintyre@gulfislands.net' **Subject:** International bus

<http://www.icbus.com/bus/buses/commercial/acseries/>

Hi Sean,

The manufacturer is ICBus. The bus is called International. The series we will trial for functionality on Salt Spring later this month is an AC Series.

Here is the spec sheet. Let me know if you need anything else.

Meribeth

Meribeth Burton
Corporate Spokesperson
BC Transit

250.995.5720 (o)
250.507.8145 (m)

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From: "Cooper, Adam" <Adam_Cooper@BCTransit.Com>
Date: May 2, 2014 6:42:10 AM PDT
To: "Moore, Myrna" <Myrna_Moore@BCTransit.Com>, "Wegwitz, Tania" <Tania_Wegwitz@bctransit.com>, "i
<
Subject: **FW: Salt Spring Island Transit Service Review Workshop - May 1st**

Thought you might all be interested in Gary's responses to the questions we provided in the agenda package.

Cheers

- a

From: Holman, Gary [mailto:G.Holman@leg.bc.ca] **Sent:** Wednesday, April 30, 2014 10:34 AM **To:** Cooper, Adam **Cc:** Hartung, Debra **Subject:** RE: Salt Spring Island Transit Service Review Workshop - May 1st

Hi Adam, the following are some comments on some of the "preparatory questions" for the upcoming May 1 workshop. I should preface these comments with the fact that I have not been actively involved with the SSI transit service for several years, and so they should definitely be taken with a grain of salt, and I'm not well enough informed to respond to a number of the questions.

Regarding opportunities to attract more passengers, I've often wondered if we have been promoting the annual Provincial bus pass adequately. This is a great deal for users who qualify, as well as for the system itself, if my understanding is correct that the difference between the real cost of an annual pass and the subsidized cost accrues to the local system.

Would promotion of BC Transit's programs for businesses to encourage employee usage be warranted? Would partnerships with local hotels and B&Bs regarding package deals be worth pursuing? Also, as part of the southern gulf islands project to facilitate inter-island travel, I wonder if working with Galiano on a boat trip (a 7 minute trip) connecting with the Fernwood bus is worth exploring. Greater coordination with the School

District, perhaps using the SSI Bus as a feeder to the school bus, and with a special discount for school kids transferring from one to the other.

Regarding the system itself, I'm hoping that BC Transit's experience elsewhere in the province regarding the merits of increasing frequency of service on the existing routes versus expanding existing routes will be presented at the workshop. However, there is a basic question of equity to consider as well – the fact that all SSI taxpayers contribute to the bus system, but only a portion receive direct service.

Do we know what proportion of workers coming from off island from Crofton are taking the bus? Is there an opportunity here for promotion? It seems to me that service to Ruckle Park in the summer months would be worth considering. It may be that if a summer service proves viable, over time this might encourage bus use by residents along Beaver Point Road year round. (Note: I have a conflict here because I live on Beaver Point Road).

Regarding revenue sources for the bus system, I have proposed in the past that we approach our two gas stations about a **voluntary and very modest** surcharge to help fund system capital and operating. Even 1 cent per litre (compared to 3.5 cents now paid in Greater Victoria, and proposed to increase to 5.5 cents by the Transit Commission) would be a great help, moderate future fare increases, and therefore over the long term, encourage bus use.

Grist for the mill Adam. I've copied Deb Hartung on these as well.

Best regards, Gary

From: Holman.MLA, Gary **Sent:** April 26, 2014 7:39 PM **To:** 'Cooper, Adam' **Subject:** RE: Salt Spring Island Transit Service Review Workshop - May 1st

Hi Adam, my apologies for not responding earlier to your invitation. I'm in the legislature on May 1 and can't attend the review. I will see if my Constituency Assistant, Debra Hartung might be able to attend for at least part of the day. I will also go through the questions you have attached and will provide some comments as soon as I can.

Please extend my regrets to the Commission, BC Transit staff and Ineke and her staff – I am very proud of all of you for making the SSI transit system work so well.

Best regards, Gary

From: Cooper, Adam [mailto:Adam_Cooper@BCTransit.Com] **Sent:** April 25, 2014 2:21 PM **To:** Holman.MLA, Gary **Subject:** Salt Spring Island Transit Service Review Workshop - May 1st

Hi Gary,

I believe I've sent you an invitation to participate in the upcoming ssi transit service review workshop, but have not heard back from you to date. I wanted to send a personal invitation to have you attend, given your role in launching the transit system on Salt Spring. I know many of the SSITC members are very fond of you and of the efforts you made to bring the system to life. It would only make sense – in my humble opinion to have you present to think about next steps for the transit system and to participate in this workshop.

I've attached the agenda for the day, and I'm hopeful you'll be there.

Thanks

- a

Adam Cooper MCIP, RPP
Senior Transit Planner

Project

COMMENTS

Budget (B)
Contributions (C)
Actual (A)

ITALICS - new information

1. TRANSPORTATION		
1.1. Ganges Hill/Regional Trail to Beddis Road Turn-Off	CRD Regional Parks have a \$50,000 budget for a feasibility study and detailed design drawings for improving safety for pedestrians and cyclists on Ganges Hill as a kick-off to the CRD Regional Trail on SSI. Contracts were signed in Autumn 2012 for survey and pre-design work. Report reviewed by Commission at 4/23/2013 meeting. Regional Parks presented three options with estimated costs at a well-attended public Open House on January 28, 2014. Public feedback was also sought by an online survey. CRD Regional Parks are to report the survey findings to the SSITC in April/May.	
1.2. Walking and Biking Feasibility Study and Options		
1.3. Yellow Curb Painting	Initial inventory carried out of all yellow curbs in Ganges (1,200 meters). Staff exploring options with MoT to undertake project with Commission funding. The project did not figure in the SSITC Budget Motion for 2014. Funding may or may not be available in 2014.	
1.4. NGVTP Phase – Rainbow Road	Design workshop held with CRD, MoT, SSITC and JEA participation in October 2013 to review options for the next phases. SSITC passed a budget for the Rainbow Road Phase in Dec 2013 and endorsed the phase as the #1 priority for construction (along with new PCP projects). Completing the NGVTP was also identified as a priority focus area in the CRD PCMP SSI Edition published in Dec 2013. The SSITC established a Working Group in February 2014 to amend the JEA design to bring down costs.	
1.5. Rainbow Road Sidewalk - Southside	JEA called for a sidewalk on the south side of Rainbow outside the NGVTP when adjacent properties are rezoned for commercial use. The OCP also calls for sidewalks to be provided with any new commercial development. Funds have been accumulating in a CRD pathway reserve account for the south side pathway since 2011. MoT advised CRD that it would like to see an overview plan for Rainbow taking drainage issues into account rather than be presented with permit applications for individual sidewalk segments. The project is included in the SSITC budget for construction in 2017.	\$25,800 (C)
1.6. Speed Limits	Working group produced a comprehensive Summary report with a multitude of recommendations at the July 23, 2013 Commission meeting. The SSITC has not commented on the Draft Report.	
1.7. Partners Creating Pathways Projects on Upper Ganges Road: 1) Churchill Road to Leisure Lane; 2) Moby's to Lower Ganges Road	Application for a Permit to Construct Works for Churchill Road to Leisure Lane pathway has been submitted to MoT. CRD Active Transportation Innovation Infrastructure Funding Program awarded a grant of up to \$75,000 for the 2014 pathway projects. Design to include innovation elements.	\$30,000 (B) \$15,000 (C) \$75,000(C)
1.8. Bus Shelters	Continuing to solicit metal fabrication quotes. Five were requested and only one submitted and was over anticipated costs.	\$20,000 (B) \$ TBA (C)

Project

COMMENTS

Budget (B)
Contributions (C)
Actual (A)

ITALICS - new information

2. TRANSIT		
2.1. BC Transit Service Review and Handy-Dart	BC Transit has scheduled a comprehensive five-year Service Review of SS Transit to commence in April 2014. It will include a feasibility study for a Handy Dart type system which will take 6-12 months to complete and will be 100% funded by BCT. Stakeholder meeting held May 1.	

Abbreviations:

BCT BC Transit
CRD Capital Regional District
JEA J E Anderson and Associates
MoT Ministry of Transportation (Provincial)
NGVTP North Ganges Village Transportation Plan
OCP Official Community Plan
PCMP Pedestrian and Cycling Master Plan
PCP Partners Creating Pathways
RoW Right-of-Way
SROW Statutory Right-of-Way